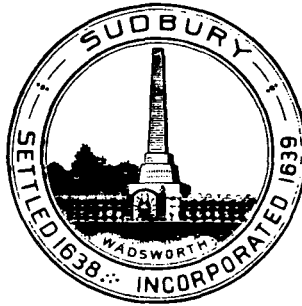


TOWN of SUDBURY

Massachusetts



OFFICIAL WARRANT

1988

ANNUAL TOWN MEETING

APRIL 4, 1988 8:00 P.M.

AND

SPECIAL TOWN MEETING

APRIL 4, 1988 8:30 P.M.

Lincoln-Sudbury Regional High School Auditorium

ANNUAL TOWN ELECTION

Including Regional District School Committee

March 28, 1988

Peter Noyes School

Polls Open 7:00 A.M. to 8:00 P.M.

**** See Precinct Changes on Next Page ****

BRING THIS BOOK WITH YOU

PRECINCT CHANGES

Allan Avenue	4
Allene Avenue	4
Blueberry Hill Lane	2
Churchill Street	4
Crestview Drive	4
Emerson Way	1
Frye Street	4
Howe Street	4
Juniper Road	1
Lillian Avenue	4
Montague Street	4
Normandy Drive	4
Reeves Street	4
Richard Avenue	4
Saxony Drive	4
Sexton Street	4
Tudor Road	4
Wake Robin Road	1

Haynes Road - Pct. 1 = even #s 16-230 and odd #s 75-243
Pct. 4 = odd #s 35-43

Hudson Road - Pct. 1 = even #s 40, 58, and 68
Pct. 2 = even #s 102-568 and odd #s 331-591
Pct. 4 = even #s 10-30 and odd #s 15-319

Marlboro Road - Pct. 1 = even #s 4-200 and odd #s 15-309
Pct. 4 = even #s 220-270

Maynard Road - Pct. 1 = even #s 4-354
Pct. 2 = odd #s 27-441

Morse Road - Pct. 1 = odd #s 127-275
Pct. 4 = #51 and even #s 82-264

Peakham Road - Pct. 2 = odd #s 237-455
Pct. 3 = #s 11-230
Pct. 4 = even #s 242-616 and odd #s 489-623

TABLE OF CONTENTS
1988 ANNUAL TOWN MEETING WARRANT

	<u>Page</u>		<u>Page</u>
CONSENT CALENDAR	1	28 Transfer Land to Sell to SHA: off Hudson Rd.	68
FINANCE COMMITTEE REPORT	4		
LONG RANGE PLANNING REPORT	9	29 Sell Land to SHA: off Hudson Rd.	69
TOWN ELECTION	11	*30 Town Report, Art. III,2	70
ARTICLES:		*31 Transfer Land - Par. 111 Willis Lake Dr. to Sell	71
1 Hear Reports	12	*32 Sell Par. 111 Willis Lake Dr. to Abutter	72
* 2 Temporary Borrowing	12	*33 Sell Par. 140 Willis Lake Dr. to Abutter	73
3 Personnel Bylaw, Art. XI	13	*34 Effective Date of Election, Art. I,1	73
4 Landfill Enterprise Fund	22	35 Time of Town Meeting, Art. I,2	74
5 Budget	23	*36 Warrant: Close, Art. II,1; Report, Art. III,10; Meeting Notice, Art. I,4	75
* 6 Unpaid Bills	53	*37 Resolutions, Art. II,8	77
7 Stabilization Fund	53	38 Speech Length, Art. II,11	77
* 8 Street Acceptances	53	39 Reconsideration, Art. II,13	78
* 9 MetroWest/MAGIC Funds	54	*40 Legal Errors, Art. II,15	79
*10 Police Paid Detail Acct.	54	*41 Acct'g Errors, Art. II,16	80
*11 Codify Town Bylaws	55	*42 Inflammables Storage, Art. V,25	81
12 Purchase Voting Equip.	55	*43 Penalties - Public Safety, Art. V	81
13 Nixon School Roof	56	*44 Penalty, Art. V(B), Alarms	84
14 School Equip/Facilities	57	*45 Penalty, Art. IX,V,L, Unreg. Motor Vehicles	84
15 Surface Drains	58	*46 Penalty, Adm., Art. IX,VI,D	85
16 Design Funds - Sherman's Bridge	58	*47 Conduct in Public Areas Enforcement, Art. V,14	85
17 Renovate Tennis Courts - Feeley Park	59	*48 Open Burning/Littering, Art. V,7	86
18 Carding Mill Pond Land Acquisition	59	*49 Litter Law - Enforce. Agt.	86
19 Peirce Land Acquisition	61	50 Special Act: Appoint Treasurer/Collector	87
20 Construct Hop Brook Br.	61	*51 Traffic Management Com.	89
21 Withdrawn	61	*52 Historical Com. Membership	90
22 Walkways	62	*53 Council on Aging, Membership, Art. XI(A)	90
23 Land for Senior Center	64		
24 Construct Senior Center	65		
25 Use of Free Cash	65		
26 Transfer Land to Sell to SHA: Fairbank & Horse Pond Rds., Pine St.	66		
27 Sell Land to SHA: Fairbank & Horse Pond Rds., Pine St.	68		

TABLE OF CONTENTS continued

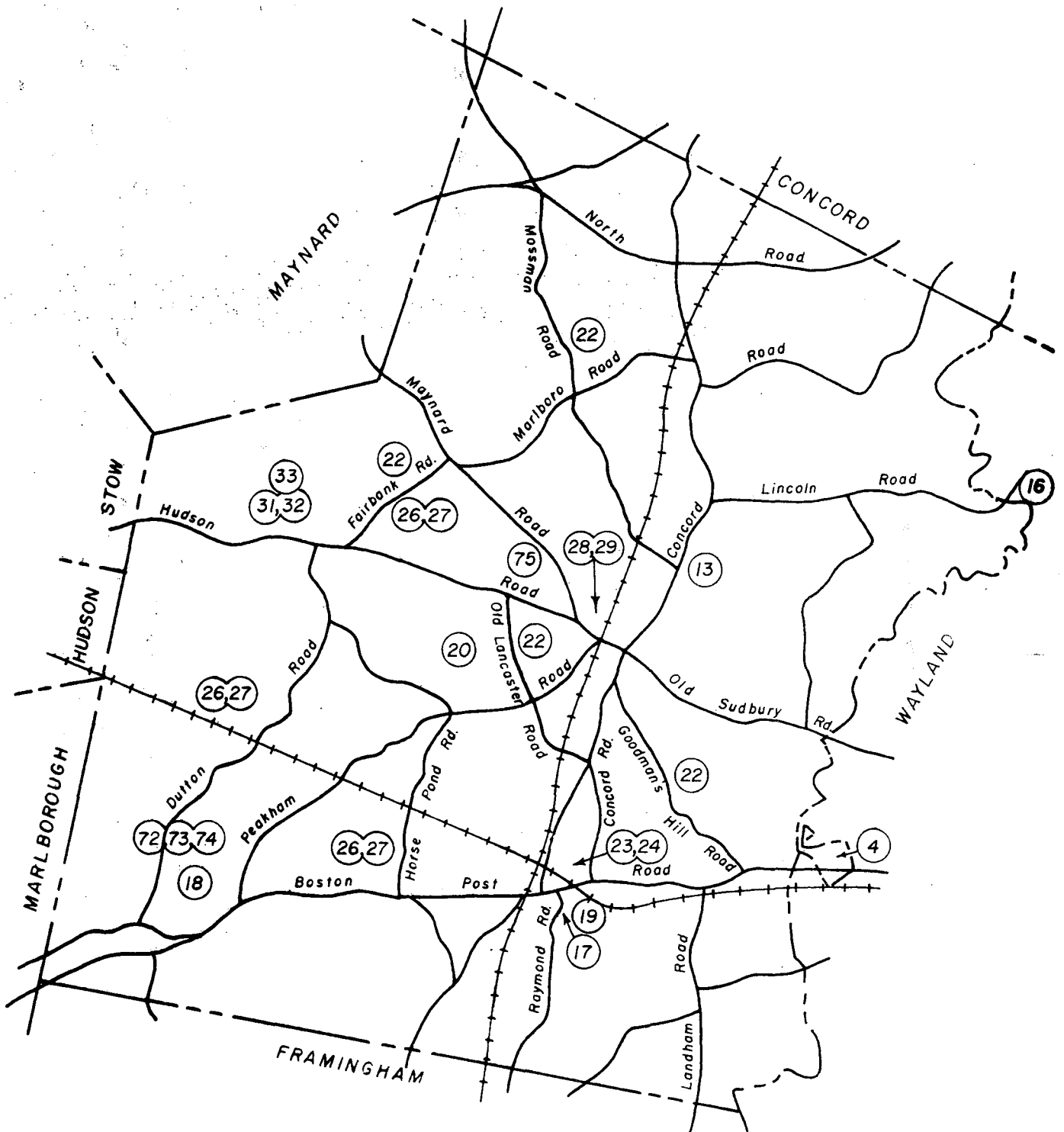
	<u>Page</u>		<u>Page</u>
*54 Council on Aging, Appointment Procedure	92	67 Prohibit Package Sewage Treatment Plants, Art. IX,I	126
*55 Site Plan Special Permit, Art. IX,V,A	92	68 Regulate Residential Wastewater Treatment Facilities, Art.IX,IV	127
56 Permitted Uses, Accessory Units, Art. IX,III,A,2	94	69 Senior Residential Development, Art. IX,IV,E	134
*57 Permitted Uses, Signs Art. IX,III,A,1,b(4)	99	70 L-S Regional Agreement: Apportionment and Excess/Deficiency Fund	140
*58 Non-conforming Bldgs/Uses Art. IX,I,D,3, Hardship	100	71 L-S Regional Agreement: Written Ballot	143
59 Withdrawn	101	72 Wayside Inn Historic Preservation Res. Zone, Art. IX,II,A,1; III,A,1; IV,B	145
*60 Cluster Dev. Hearing & Decision, Art. IX,IV,D,7	101	73 Wayside Inn Historic Preservation Res. Zone Location, Art. IX,II,B	146
*61 Site Plan Special Permit, Art. IX,V,A, Hearing/Dec.	102	74 Wayside Inn Historic Pres. Res. Zone, Cluster Development, Art. IX,IV,D	147
62 Wetlands Protection Bylaw	102	75 Special Act: Shahian Cons. Restriction/Walkway Ease.	149
63 Withdrawn	109	TOWN COUNSEL OPINIONS	151
64 Water Resource Protection Dist., Art. IX,I,I; II,C; III,G	109		
65 Recreational Vehicles Art.V,16	122		
66 Smoking, Art. V(C)	123		

SPECIAL TOWN MEETING WARRANT

	<u>Page</u>
STM1 Unpaid Bills	153
STM2 FY88 Police Paid Detail	153
STM3 FY88 Salaries	154
STM4 School Eng/Arch. Services	155

* Placed on Consent Calendar

LOCATION OF WARRANT ARTICLES



CONSENT CALENDAR

In the interest of expediting Town Meeting and saving valuable time for discussion of key issues, Sudbury has used the "Consent Calendar" to speed passage of articles which the Moderator and the various Boards and Committees feel appear to raise no controversy. The purpose of the Consent Calendar is to allow the motions under these articles to be acted upon as one unit and to be passed by a unanimous vote without debate.

THE CONSENT CALENDAR WILL BE TAKEN UP AS THE FIRST ORDER OF BUSINESS AT THE COMMENCEMENT OF TOWN MEETING ON APRIL 4th.

Please do your homework. If you have any question about the articles, motions or procedure, please feel free to call the Executive Secretary, Richard E. Thompson, at 443-8891, ext. 185, before Town Meeting.

At the call of the Consent Calendar, the Moderator will call out the numbers of the articles, one by one. If any voter has doubt about passing any motions, or wishes an explanation of any subject on the Consent Calendar, THE VOTER SHOULD STAND AND SAY THE WORD "HOLD" IN A LOUD, CLEAR VOICE WHEN THE NUMBER IS CALLED. The Moderator will then inquire as to whether the request to hold is for a question or for debate. If the purpose of the request was merely to ask a question, an attempt to obtain a satisfactory answer will be made, and if that occurs, the article will remain on the Consent Calendar absent a further request to hold. If the purpose of the request was to hold the article for debate, the article will be removed from the Consent Calendar and restored to its original place in the Warrant, to be brought up, and debated and voted on in the usual way. No voter should hesitate to exercise the right to remove matters from the Consent Calendar; it is the view of the voters as to the need for debate that is supreme, not that of the Town Officials who put together the Consent Calendar. However, in light of the extraordinary number of articles on this year's warrant, it is hoped that voters will remove articles from the Consent Calendar only in cases of genuine concern. In past years it has occasionally happened that articles were removed from the Consent Calendar and when reached in the normal course, passed unanimously without debate thus indicating that the initial removal request was, perhaps, not fully considered before being exercised.

After calling of the individual items in the Consent Calendar, the Moderator will ask that all items remaining be passed as a unit by a unanimous vote.

Please review the list of articles and motions proposed for the Consent Calendar which follow. Complete reports, including those of Town Counsel, are to be found under each article printed in this Warrant. Please review them carefully.

ARTICLE

MOTION

ARTICLE 2 TEMPORARY BORROWING: Move in the words of the article. (pg. 12)

ARTICLE 6 UNPAID BILLS: Move to appropriate \$45 for the payment of unpaid bills incurred, which may be legally unenforceable due to the insufficiency of the appropriation in the year in which the bill was incurred or receipt after the close of the fiscal year, as follows: \$44.97 To pay Harriet Ritchie (Historical Commission); said sum to be raised by taxation.

- ARTICLE 8 STREET ACCEPTANCES: Move in the words of the article, with the sum of \$500 to be raised by taxation. (pg. 53)
- ARTICLE 9 METROWEST & M.A.G.I.C. FUNDS: Move to appropriate \$10,000, to be expended under the direction of the Board of Selectmen, as follows: \$5,000 for support of the MetroWest Growth Management Committee regional planning activities, and \$5,000 for support of the Minuteman Advisory Group for Interlocal Coordination (M.A.G.I.C.) planning activities, said sum to be raised by taxation.
- ARTICLE 10 POLICE PAID DETAIL ACCOUNT: Move to appropriate \$15,000 to be added to the Police Paid Detail Account, said sum to be raised by taxation.
- ARTICLE 11 CODIFY TOWN BYLAWS: Move to appropriate \$10,000, to be expended under the direction of the Town Clerk, to retain a consultant for the purpose of codifying the Town's Bylaws and Rules and Regulations and providing a format for future changes thereto, and to supplement the code, in the format established, with the amendments thereto, said sum to be raised by taxation.
- ARTICLE 30 AMEND BYLAWS, ART. III,2 -- TOWN REPORT: Move in the words of the article. (pg. 70)
- ARTICLE 31 TRANSFER P&R PARCEL 111, WILLIS LAKE DRIVE TO SELECTMEN FOR PURPOSE OF SALE: Move in the words of the article. (pg. 71)
- ARTICLE 32 AUTHORIZE SALE OF PARCEL 111, WILLIS LAKE DRIVE, TO ABUTTER: Move to authorize the Board of Selectmen to sell and convey, at private sale to a direct abutter, for a sum of no less than \$1,500 and upon such terms and conditions as it deems necessary or desirable: the land off Willis Lake Drive shown as Parcel 111 on Town Property Map F05 and containing .17 acres according to said map. (pg. 72)
- ARTICLE 33 AUTHORIZE SALE OF PARCEL 140, WILLIS LAKE DRIVE, TO ABUTTER: Move to authorize the Board of Selectmen to sell and convey, at private sale to a direct abutter, for a sum of no less than \$1,500 and upon such terms and conditions as it deems necessary or desirable: the land off Willis Lake Drive shown as Parcel 140 on Town Property Map F05 and containing .11 acres according to said map. (pg. 72)
- ARTICLE 34 AMEND BYLAWS, ART. I,1 - EFFECTIVE DATE OF ELECTION: Move in the words of the article. (pg. 73)
- ARTICLE 36 AMEND BYLAWS, ART. II, 1 - WARRANT CLOSING DATES; ART. III,10 - WARRANT REPORT; ART. I,4 - NOTICE OF MEETINGS: Move in the words of the article. (pg. 75)
- ARTICLE 37 AMEND BYLAWS, ART. II,8 - RESOLUTIONS: Move in the words of the article. (pg. 77)
- ARTICLE 40 AMEND BYLAWS, ART. II,15 - LEGAL ERRORS: Move in the words of the article. (pg. 79)
- ARTICLE 41 AMEND BYLAWS, ART. II,16 - ACCOUNTING ERRORS: Move in the words of the article. (pg. 80)

- ARTICLE 42 AMEND BYLAWS, ART. V,25 - STORAGE OF INFLAMMABLE FLUIDS: Move in the words of the article. (pg. 81)
- ARTICLE 43 AMEND BYLAWS, ART. V, PUBLIC SAFETY - PENALTIES: Move in the words of the article. (pg. 81)
- ARTICLE 44 AMEND BYLAWS, ART. V(B), BURGLAR ALARMS - PENALTY: Move in the words of the article. (pg. 84)
- ARTICLE 45 AMEND ZONING BYLAW, ART. IX,V,L, UNREGISTERED MOTOR VEHICLES - PENALTY: Move in the words of the article. (pg. 84)
- ARTICLE 46 AMEND ZONING BYLAW, ART. IX,VI,D, ADMINISTRATION - PENALTY: Move in the words of the article. (pg. 85)
- ARTICLE 47 AMEND BYLAWS, ART. V,14, CONDUCT IN PUBLIC AREAS - ENFORCEMENT: Move in the words of the article. (pg. 85)
- ARTICLE 48 AMEND BYLAWS, ART. V,7, OPEN BURNING/LITTERING: Move in the words of the article. (pg. 86)
- ARTICLE 49 DESIGNATE ENFORCEMENT AGENT - LITTER LAWS: Move in the words of the article. (pg. 86)
- ARTICLE 51 ESTABLISH TRAFFIC MANAGEMENT COMMITTEE: Move in the words of the article. (pg. 89)
- ARTICLE 52 INCREASE HISTORICAL COMMISSION MEMBERSHIP: Move in the words of the article. (pg. 90)
- ARTICLE 53 AMEND BYLAWS, ART. XI(A), COUNCIL ON AGING MEMBERSHIP: Move in the words of the article. (pg. 90)
- ARTICLE 54 COUNCIL ON AGING APPOINTMENT PROCEDURE: Move in the words of the article. (pg. 92)
- ARTICLE 55 AMEND ZONING BYLAW, ART. IX,V,A - SITE PLAN SPECIAL PERMIT: APPLICABILITY, COMPLIANCE, INTERPRETATION: Move in the words of the article. (pg. 92)
- ARTICLE 57 AMEND ZONING BYLAW, ART. IX,III,A,1,b(4) - PERMITTED USES, RESIDENCE DISTRICTS: SIGNS: Move in the words of the article. (pg. 99)
- ARTICLE 58 AMEND ZONING BYLAW, ART. IX,I,D,3 - NON-CONFORMING BUILDINGS AND USES - DELETE HARDSHIP CLAUSE: Move in the words of the article. (pg. 100)
- ARTICLE 60 AMEND ZONING BYLAW, ART. IX,IV,D,7 - CLUSTER DEVELOPMENT - HEARING AND DECISION: Move in the words of the article. (pg. 101)
- ARTICLE 61 AMEND ZONING BYLAW, ART. IX,V,A, SITE PLAN SPECIAL PERMIT - HEARING AND DECISION: Move in the words of the article. (pg. 102)

Thomas G. Dignan, Jr.
Town Moderator

REVENUE AND EXPENDITURE ANALYSIS

	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
Sudbury Pub. Schls. (Gross)	6,945,953	7,628,113	8,581,627	8,258,181
Sudbury Pub. Schls: Offsets	142,166	166,706	105,595	105,595
SUDBURY PUB. SCHLS. (Net)	6,803,787	7,461,407	8,476,032	8,152,586
L.S.R.H.S. (Assessment)	4,904,995	5,412,355	5,804,551	5,804,551
M.R.V.T.H.S. (Assessment)	367,533	457,070	449,347	369,425
TOTAL SCHOOLS	12,076,315	13,331,032	14,729,930	14,326,562
200: Debt Service	340,448	250,293	208,183	208,183
300: Protection	2,686,358	2,817,272	3,176,108	3,010,085
400: Highway	1,278,255	1,340,338	1,495,044	1,425,168
500: General Govt.	959,117	1,089,773	1,156,559	1,110,151
600: Library	298,931	320,059	361,283	351,649
700: Recreation	185,150	451,051	573,278	535,028
800: Health	211,945	301,748	308,791	304,556
900: Veterans	2,945	7,751	5,751	5,251
950: Unclassified/Sal.Adj.Acct.	1,678,852	2,120,640	2,549,810	2,521,075
TOTAL TOWN	7,642,001	8,698,925	9,834,807	9,471,146
TOTAL OPERATING BUDGET	19,718,316	22,029,957	24,564,737	23,797,708
STM Articles:	562,500	30,000	780,245	758,902
ATM Articles:	386,280	766,633	8,883,877	1,288,705
TOTAL ARTICLES	948,780	796,633	9,664,122	2,047,607
TOTAL APPROPRIATIONS	20,667,096	22,826,590	34,228,859	25,845,315
Cherry Sheet Charges & Underest.	482,240	541,914	308,503	308,503
Cherry Sheet Offsets	341,333	311,352	318,324	318,324
Recap, Snow&Ice & other charges	0	89,877	112,000	112,000
Abatements & Exemptions	247,448	252,370	500,000	500,000
TOTAL CHARGES	1,071,021	1,195,513	1,238,827	1,238,827
TOTAL TO BE RAISED	21,738,117	24,022,103	35,467,686	27,084,142
Cherry Sheet Receipts & Overest.	3,396,722	3,572,763	3,467,838	3,467,838
Borrowing	239,200	0	8,860,000	1,750,000
Local Receipts	1,676,200	1,882,700	2,037,454	2,037,454
Enterprise Fund Receipts	0	185,800	306,800	306,800
Use of ATM 87 Article 16	0	0	71,995	71,995
Free Cash applied	413,000	1,424,398	838,814	838,814
Federal Revenue Sharing	75,000	27,695	0	0
Sale of Town Real Estate	30,193	82,535	0	0
Dog Licenses (& St Aid)	9,163	2,000	2,000	2,000
Abatement Surplus	60,000	100,000	280,000	280,000
Cemetery Fund	16,291	16,000	20,500	20,500
Stabilization Fund	169,000	0	130,000	130,000
Add'l Lottery Revenue	0	32,245	0	0
Ambulance Fund	0	55,000	0	0
TOTAL RECEIPTS&REVENUE	6,084,769	7,381,136	16,015,401	8,905,401
REQUIRED TAX LEVY	15,653,348	16,640,967	19,452,285	18,178,741
Previous Limit +2.5%	15,051,422	16,223,774	17,324,154	17,324,154
New Construction	776,650	677,840	756,000	756,000
LEVY LIMIT	15,828,072	16,901,614	18,080,154	18,080,154
UNDER LEVY LIMIT	174,724	260,647	0	0
OVER LEVY LIMIT	0	0	1,372,131	98,587
OVER LL IF EXEMPTIONS ARE PASSED:			1,271,083	(2,461)

1988 FINANCE COMMITTEE REPORT

Sudbury voters will be wondering why, after several apparently uneventful years under Proposition 2-1/2, the Finance Committee is recommending three bonding exemptions. The heart of the problem is that our normal revenue growth allowed under 2-1/2 plus our proliferating new construction is enough to keep the Town functioning like it is, but it is not enough to build a new senior citizen center or new schools. These new services need new funding outside of Proposition 2-1/2. We, therefore, support these projects only if the Town votes bonding exemptions for them. It is the FinCom's opinion that if the Town wants these new services it must vote for increased taxes.

Proposition 2-1/2 limits the increase each year in total property taxes to 2-1/2%, with an extra allowance for any new construction added to the Town's tax rolls. Over the last few years, our total tax revenues have risen 5.83% in 1985-6; 6.52% in 1986-87; 6.16% in 1987-88; and 6.97% for this year's 1988-89 budget. Our main revenue source (\$18 million out of our total \$25 million budget) is intact. Of course, when new construction in Sudbury stops, property tax revenues will fall back to a 2-1/2% increase and we will have a serious problem.

This major long-term problem is that wage settlements negotiated by unions in Massachusetts are averaging around 5.5% with 4% step increases for a total of 9.5% yearly raises for our personnel. 75% of the town budget is personnel. Most of the town personnel belong to unions - teachers, firemen, policemen, engineering, highway, and supervisors - so the biggest piece of our budget is going up 9½% a year. The cost of benefits - health insurance, workman's compensation, and the retirement fund - are also increasing by 15% this year. The Finance Committee recognizes this problem and has asked the High School, Sudbury schools, and the Town to be cognizant of this problem in planning their budgets. Accordingly, we are recommending budgets with no new personnel.

Several unrelated items have negatively impacted the Town's budget this year:

- a) Free cash is down \$600,000 from last year = lost revenue.
- b) The Assessor's abatements are up \$250,000 this year = lost revenue.
- c) Growth of state aid is slowing to affluent suburbs - up only 4% this year; it was up 6% the last several years = lost revenue.
- d) It is snowing more and snow and ice materials and personnel cost more. Snow and ice total expenditures for 1985-86 were \$95,000 - for 1988-89 will be around \$180,000.
- e) Property and Liability Insurance was down \$44,000 last year. This year they are up \$34,000. This costs the Town \$78,000 year to year in this budget.
- f) The extras of pre-2-1/2% budgets have been cut in past years and are no longer around to be cut.
- g) Our county retirement assessment is \$80,000 more than last year.

- h) Federal Revenue Sharing is gone. In 1985 it was \$140,000.
- i) Health insurance costs are going up \$250,000 this year.

This year's total revenue growth is only 2.2% because of these factors listed above. In order to keep current Town services on a 2.2% revenue increase, the FinCom needed some hard and fast priorities.

Nine voters are appointed to the Finance Committee by the Town Moderator. Our recommendations to Town Meeting are the product of roughly eighty hours of Committee meetings, hearings with the various departments, commissions and boards, and as many additional hours of contacts between those groups and liaison members of the FinCom. Our job, as we see it, is to bring a set of recommendations to the Town Meeting which would enable the voters to appropriate funds to run the Town without an override. Voters may then make a decision about whether that level of funding is insufficient, in their opinion, and if so may choose to vote an "override budget" -- a combination of budget and monied articles which cannot be funded within the levy limit. The Finance Committee does not believe that an override is necessary in FY89. We believe that within the proposed budget current town services can be maintained despite our mere 2.2% revenue increase.

These are the hard and fast priorities we employed to reach a no override budget. The Town's essential services - schools, fire, and police - are our highest priority departments. Non-essential services have lower priority. From an operational viewpoint we wish to maintain current town services. This means maintenance of existing assets and keeping current personnel levels as high priority. But acquiring new assets or adding new personnel has low priority. Any new capital items have to have the recommendation of the Long Range Planning Committee. We want to keep current services, but we cannot afford to add new services or new personnel.

Should individual boards rise at Town Meeting to ask for higher salaries, more personnel, more computers, a new car, more hours for part-time personnel, new consultants, and new studies, you now know why we did not recommend them. Our priorities are to maintain current services. We cannot afford this year to add new services or new personnel unless we have an override of Proposition 2-1/2.

After the FinCom set its budgeting priorities we held hearings with these boards and departments. Each one vigorously defended its own budget. Sudbury is blessed with many hard working, intelligent, and articulate citizens who serve the Town on various boards. Each board is committed to its own agenda and skillfully works for its own ends - to the Town's benefit. For instance, last year's park and recreation board promoted the concept of a new pool for the Town and through their energy and talents made it happen. These hard working, intelligent, articulate board members helped the Town to obtain a beautiful pool by promoting their board's special interests.

We have tried to be consistent and fair in recommending to you, the voter at Town Meeting, how we think the Town's revenue should be allocated. We have recommended what we think is best for the Town. The Finance Committee does not believe that it is infallible and we invite your comments. Town Meeting has the final vote.

We would like to thank all those who have assisted us in our work this year. The Long Range Planning Committee has spent many hours at many hearings and is playing a very important role in our process. We also thank Terri Ackerman, the Town's Budget Analyst, for her invaluable contributions in verifying the budgets and providing us with technical support. We especially appreciate the cooperation of Town departments, boards, committees, and commissions, whose members always approach their budget hearing with a bit of apprehension, but manage nevertheless to give us an honest and open appraisal of their work and its importance.

Explanations of several terms which are used in our presentations and an overview of Proposition 2-1/2 are appended to this report.

Respectfully submitted,
Finance Committee

David P. Wilson, Chairman
John B. Hepting, Vice Chairman
Helen Marie Casey
Stephen D. Ellis
Carolyn S. Stowell
Robert K. Coe
Cary J. Corkin
Richard H. Pettingell
John J. Ryan, Jr.

Budget Terms and Definitions

FREE CASH: The unreserved fund balance (amount of money remaining) after deducting from surplus revenue all uncollected taxes from prior years. Free Cash is certified on July 1 by the Director of Accounts; any or all of the certified amount may be used to defray Town expenses by a vote of the Town Meeting. Last July 1, a sum of \$838,814 was certified, all of which remains available for use in April 1989. In the analysis on the next page, Free Cash is being applied to offset items of the budget.

OVERLAY: Amount set by the Assessors to create a fund to cover abatements of real and personal tax assessments for the current year, and raised on the tax levy. This line item is up \$250,000 because this is a ten-year revaluation year. More abatements are asked for and given in a revaluation year.

ABATEMENT SURPLUS: Accumulation of the surplus amounts of Abatements and Exemptions set aside by the Assessors each year to cover abatements of (and exemptions from) real estate and personal property tax assessments. The accumulated amount for previous years no longer committed for abatements may be used by vote of the Town Meeting. For FY89, \$125,000 of the Abatement Surplus is proposed to defray the funding of the Reserve Fund in the 950 Budget and \$155,000 is proposed to fund highway equipment. This would leave \$228,000 in this emergency fund.

RESERVE FUND: An amount appropriated by the Annual Town Meeting for emergency or unforeseen purposes. The Finance Committee, by state law, is the sole custodian of the Reserve Fund, and approves transfers from the Fund into the operating budgets throughout the year if: (1) the need for funds is of an emergency and/or unforeseen nature, and (2) if, in the judgment of the Finance

Committee, the Town Meeting would approve such an expenditure if such a meeting was held. The Reserve Fund is therefore a mechanism for avoiding the necessity of frequent Special Town Meetings.

CHERRY SHEET: Details of State and County charges and reimbursements used in determining the tax rate. Name derives from the color of the paper used.

Proposition 2-1/2

The Overall Limit

Proposition 2-1/2 contains two separate, distinct levy limits. The first is 2-1/2% of the full and fair valuation of the Town each year. The valuation can change each year so the overall levy changes. The Town can vote by referendum to exclude past or future debt from the limit. There are No Other Exemptions Or Exclusions From The Overall Limit. To beat this dead horse: Even a 100% Town ballot vote to assess taxes at 2.51% of fair valuation would be void. The overall limit is town wide. Each property can be a bit over or under \$25/\$1,000 (or a lesser tax rate) depending on its assessment.

The Growth Limit

By coincidence the second levy limit, as to the annual increase in levy authority, is also pegged at 2-1/2%. Once there was a special rule as to some towns in 1979 or 1981. Now all towns have as a base their FY1982 levy. Once the increase was 1.025 on a base of the prior year's actual levy. Now the growth limit never changes (except for local growth and an override) since the computation is retroactive to FY1982. If a town had a levy of \$1,000,000 in 1981, it has a limit of \$1,025,000 in 1982, \$1,050,625 in 1983 and \$1,077,160.60 in 1984 if the valuation was static and if it voted no overrides.

New Construction

To simplify the arithmetic, for the growth limit, (but not for the overall limit), new construction is counted only if it adds at least 50% in value to any one tax bill. Doubling the size of a house would thus probably be counted; adding a garage would be ignored. (They both will count as to the overall limit.) Properties burned or demolished will reduce the total. A bar in 1983 may be a church in 1984 and go off the tax rolls. Raw land may have been subdivided and be worth more. Each changed item is figured at last year's rate using last year's classification, if there was such, to arrive at the total growth limit.

Overrides in General

There may be an override for debt for the overall limit. Other overrides are only as to the growth limit. All overrides are by ballot votes at a town election, a special election or the November state and federal election. A debt override is permanent so long as the debt is outstanding. Growth limit overrides have to be readopted every year. In order to pass, overrides need a majority vote at town elections.

Override in Growth Limit

A town which is at or below 2-1/2% may have a levy limit not only of 102.50% of the past years' limit but also a dollar amount which is up to its overall limit.

Debt Overrides, Exclusion

New debt, being the amount needed each year to pay interest and principal on local or regional bonds or notes, or both, may be exempted by a majority ballot vote. The purpose of the new borrowing is stated in the referendum question. This debt exclusion is what the FinCom is recommending to the Town as a vehicle to finance the proposed new senior citizen center, the expansion of the K-8 school system, and last year's high school's maintenance bonds.

1988 LONG RANGE PLANNING COMMITTEE REPORT

The Long Range Planning Committee's Report which appears in the Warrant represents a summary of the updated five-year Capital Improvement Programs submitted to this Committee this year by the various Town Boards, Commissions, Committees and Departments.

The updated five-year Capital Improvement Program totaled \$12,464,229.13; an increase of 13.36% over last year's amount of \$10,995,141.

Capital expenditure monies requested for Fiscal 1989, and for all projects valued over \$5,000, total \$9,392,579.13. Total capital expenditure requests received for submission at last year's Annual Town Meeting, for Fiscal 1988, were \$2,973,491.

The Long Range Planning Committee has again prepared a separate report identifying and prioritizing the individual Fiscal 1989 capital expenditure projects submitted for funding approval at the April 1988 Annual Town Meeting. The report, entitled "Long Range Planning Committee Report, Including Capital Expenditure Plan for Fiscal Years 1989-1993", will be available through the Board of Selectmen's office at the Loring Parsonage and at the Annual Town Meeting. Also contained within this report will be the Committee's results (to date) on the Town's space/needs study.

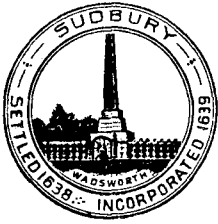
Respectfully submitted,
Long Range Planning Committee

Joseph W. Mooney, Chairman
Theodore A. Barten
Robert "Kip" G. Johnson

Five-Year Capital Improvement Program Update

Fiscal Years 1989 through 1993

	Requested for Fiscal 1989	5-YR Total
GOODNOW LIBRARY	\$ 25,816.13	\$ 25,816.13
FIRE DEPARTMENT	\$ 155,000.00	\$ 420,000.00
ENGINEERING DEPARTMENT	\$ 12,500.00	\$ 45,500.00
BOARD OF HEALTH	---N/A---	\$ 9,500.00
OPERATIONAL REVIEW COMMITTEE	DEBT SERVICE, NOT INCLUDED	
POLICE DEPARTMENT	\$ 99,000.00	\$ 99,000.00
HISTORICAL COMMISSION	\$ 13,200.00	\$ 44,350.00
BOARD OF ASSESSORS	\$ 7,500.00	\$ 22,500.00
TOWN CLERK	\$ 44,500.00	\$ 44,500.00
K-8 SCHOOLS	\$ 534,041.00	\$ 534,041.00
COUNCIL ON AGING	\$ 1,000,000.00	\$ 1,000,000.00
BUILDING AND INSPECTIONS DEPT	\$ 109,700.00	\$ 109,700.00
PARK & RECREATION DEPT	\$ 152,000.00	\$ 539,000.00
HIGHWAY DEPARTMENT	\$ 425,000.00	\$ 2,125,000.00
PLANNING BOARD/WALKWAY COMMITTEE	\$ 129,322.00	\$ 529,322.00
BOARD OF SELECTMEN	\$ 20,000.00	\$ 150,000.00
CONSERVATION COMMISSION	\$ 6,665,000.00	\$ 6,766,000.00
REPORT SUMMARY	\$ 9,392,579.13	\$12,464,229.13



TOWN OF SUDBURY
ANNUAL TOWN MEETING WARRANT
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

To the Constables of the Town of Sudbury:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Sudbury, qualified to vote in Town Elections, to meet at the Peter Noyes School in said Town on Monday, March 28, 1988, at seven o'clock in the forenoon; then and there to choose by official ballot in accordance with law, one Moderator, one member of the Board of Park and Recreation Commissioners to fill a vacancy, one member of the Sudbury Housing Authority to fill a vacancy, one Tree Warden, one Highway Surveyor, all for one year; one member of the Board of Assessors, one Constable, two members of the Goodnow Library Trustees, one member of the Board of Health, two members of the Board of Park and Recreation Commissioners, two members of the Planning Board, one member of the Board of Selectmen, one member of the Sudbury Housing Authority and two members of the Sudbury School Committee, all for three years; one member of the Sudbury Housing Authority for five years.

Included as part of the Annual Town Election will be an election of two members for three years each to the Lincoln-Sudbury Regional School District Committee.

BALLOT QUESTIONS

QUESTION No. 1

Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to construct a senior citizens center, as proposed under Article 24 of the Warrant for the 1988 Annual Town Meeting?

YES	
NO	

QUESTION No. 2

Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to obtain engineering and architectural services for remodeling, reconstructing, or making extraordinary repairs to existing school buildings and/or the construction of new school buildings, as proposed under Article 4 of the Warrant for the April 4, 1988 Special Town Meeting?

YES	
NO	

QUESTION No. 3

Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to remodel, repair, and purchase equipment for the Lincoln-Sudbury Regional School District building, and to reconstruct and make improvements to outdoor recreational and athletic facilities, and roadways and parking lots at the Lincoln-Sudbury Regional High School, which indebtedness was approved under Articles 4 and 6 of the April 6, 1987 Special Town Meeting?

YES	
NO	

The polls will open at seven o'clock in the forenoon and will be closed at eight o'clock in the evening.

And you are required to notify and warn the inhabitants of said Town qualified to vote in Town affairs to meet at the Lincoln-Sudbury Regional High School Auditorium in said Town on Monday, April 4, 1988, at eight o'clock in the evening, then and there to act on the following articles:

ARTICLE 1. HEAR REPORTS

To see if the Town will vote to hear, consider and accept the reports of the Town Boards, Commissions, Officers, and Committees as printed in the 1987 Town Report or as otherwise presented; or act on anything relative thereto.

Submitted by the Board of Selectmen.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

ARTICLE 2. TEMPORARY BORROWING

To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of revenue of the financial year beginning July 1, 1988, in accordance with the provisions of General Laws, Chapter 44, Section 4, and Acts in amendment thereof, and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17; or act on anything relative thereto.

Submitted by the Board of Selectmen.

BOARD OF SELECTMEN REPORT: This annual article provides for short-term borrowing in anticipation of tax revenue receipts. The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

ARTICLE 3. AMEND PERSONNEL BYLAW, ART. XI

To see if the Town will vote to amend Article XI of the Town of Sudbury Bylaws, entitled, "The Personnel Administration Plan":

- A. By Deleting the Classification and Salary Plan, Schedules A & B, in its entirety, and substituting therefor the following:

"1988 - 1989

SCHEDULE A - CLASSIFICATION PLAN
AND SCHEDULE B - SALARY PLAN

GRADE 1	GRADE 8
Custodian (40 hrs/week)	Conservation Coordinator
Pool Receptionist	Director, Council on Aging
	Senior Librarian
GRADE 2	GRADE 9
Childcare Helper	Administrative Assistant to the
Clerk I	Board of Selectmen
Groundsperson (40 hrs/week)	Budget Analyst
Switchboard Operator/Receptionist	Tax Collector
GRADE 3	GRADE 10
Clerk II/Senior Clerk	Town Clerk
Library Clerk	
Recording Secretary	GRADE 11
GRADE 4	Assistant Assessor
Fire Dispatcher (40 hrs/week)	Library Director
Grounds Foreman (40 hrs/week)	Pool Director
Library Technician	Superintendent, Parks & Grounds
Secretary I	Management
Senior Account/Data Processing Clerk	Town Planner
Van Driver, Senior Citizen Center	GRADE 12
GRADE 5	Director of Public Health
Assistant Pool Director	Inspector of Buildings/Zoning
Board of Health Coordinator	Enforcement Agent
Outreach Case Manager	Town Treasurer
Library Office Coordinator	GRADE 13
GRADE 6	GRADE 14
Assistant Tax Collector	Director of Finance/Town
Associate Librarian	Accountant
Dog Officer	Highway Surveyor
Police Dispatcher (40 hrs/wk)	Town Engineer
Secretary/Legal Secretary	GRADE 15
Secretary II/Office Supervisor	Fire Chief
Supervisor of Town Buildings	Police Chief
GRADE 7	GRADE 16
Assessors Office Coordinator	GRADE 17
Assistant Town Accountant	Executive Secretary (contract)
Assistant Town Clerk	
Assistant Town Treasurer	
Staff Librarian	

NOTE: UNION POSITIONS, INDIVIDUALLY CONTRACTED POSITIONS, AND ELECTED POSITIONS WHICH APPEAR ABOVE ARE GRADED FOR ADVISORY PURPOSES ONLY.

GRADE		INTERMEDIATE STEPS						MAXIMUM
		1	2	3	4	5	6	7
1	Hourly	6.63	6.88	7.16	7.44	7.74	8.05	8.38
	Weekly							
	Annual							
2	Hourly	7.15	7.44	7.74	8.05	8.37	8.70	9.05
	Weekly	250.41	260.43	270.85	281.67	292.95	304.66	316.85
	Annual	13,071	13,594	14,138	14,703	15,292	15,903	16,540
3	Hourly	7.73	8.04	8.36	8.69	9.04	9.40	9.78
	Weekly	270.45	281.27	292.51	304.22	316.39	329.04	342.20
	Annual	14,117	14,682	15,269	15,880	16,515	17,176	17,863
4	Hourly	8.34	8.68	9.03	9.39	9.76	10.15	10.56
	Weekly	292.07	303.76	315.91	328.54	341.67	355.35	369.55
	Annual	15,246	15,856	16,490	17,150	17,835	18,549	19,291
5	Hourly	9.01	9.37	9.75	10.14	10.54	10.97	11.40
	Weekly	315.46	328.07	341.21	354.85	369.05	383.81	399.16
	Annual	16,467	17,126	17,811	18,523	19,264	20,035	20,836
6	Hourly	9.73	10.12	10.53	10.95	11.39	11.84	12.32
	Weekly	340.69	354.30	368.49	383.23	398.56	414.49	431.08
	Annual	17,784	18,495	19,235	20,005	20,805	21,636	22,503
7	Hourly	10.51	10.93	11.37	11.83	12.30	12.79	13.30
	Weekly	367.94	382.67	397.97	413.89	430.44	447.66	465.56
	Annual	19,207	19,975	20,774	21,605	22,469	23,368	24,302
8	Hourly	11.46	11.92	12.39	12.89	13.40	13.94	14.50
	Weekly	401.03	417.06	433.76	451.10	469.14	487.91	507.44
	Annual	20,934	21,771	22,642	23,547	24,489	25,469	26,488
9	Hourly	12.49	12.99	13.51	14.05	14.61	15.20	15.80
	Weekly	437.14	454.62	472.80	491.73	511.38	531.84	553.12
	Annual	22,819	23,731	24,680	25,668	26,694	27,762	28,873
10	Hourly	13.61	14.16	14.72	15.31	15.93	16.56	17.23
	Weekly	476.48	495.55	515.36	535.98	557.43	579.71	602.91
	Annual	24,872	25,868	26,902	27,978	29,098	30,261	31,472
11	Hourly	14.84	15.43	16.05	16.69	17.36	18.05	18.78
	Weekly	519.37	540.15	561.75	584.22	607.59	631.89	657.18
	Annual	27,111	28,196	29,323	30,496	31,716	32,985	34,305

GRADE	MINIMUM		INTERMEDIATE STEPS				MAXIMUM
	1	2	3	4	5	6	7
12 Hourly	16.17	16.82	17.49	18.19	18.92	19.68	20.47
Weekly	566.11	588.76	612.32	636.80	662.26	688.76	716.31
Annual	29,551	30,734	31,963	33,241	34,570	35,953	37,392
13 Hourly	17.63	18.34	19.07	19.83	20.63	21.45	22.31
Weekly	617.07	641.75	667.41	694.11	721.89	750.75	780.78
Annual	32,211	33,499	34,839	36,232	37,682	39,189	40,757
14 Hourly	19.22	19.99	20.79	21.62	22.48	23.38	24.32
Weekly	672.60	699.52	727.50	756.58	786.86	818.32	851.06
Annual	35,110	36,515	37,975	39,494	41,074	42,716	44,426
15 Hourly	20.95	21.79	22.66	23.56	24.51	25.49	26.50
Weekly	733.15	762.48	792.97	824.69	857.68	892.00	927.66
Annual	38,270	39,801	41,393	43,049	44,771	46,562	48,424
16 Hourly	22.83	23.75	24.70	25.68	26.71	27.78	28.89
Weekly	799.13	831.09	864.34	898.92	934.86	972.26	1,011.16
Annual	41,714	43,383	45,119	46,923	48,800	50,752	52,782
17 Hourly	24.89	25.88	26.92	27.99	29.11	30.28	31.49
Weekly	871.06	905.90	942.14	979.82	1,019.02	1,059.78	1,102.16
Annual	45,469	47,288	49,180	51,147	53,193	55,320	57,533

CLASSIFICATION	HRS/WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
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FIRE DEPARTMENT

ANNUALLY RATED

Fire Captain	42	26,911	27,533	28,171	28,795	29,470
Lieutenant	42	24,391	24,956	25,534	26,100	26,714
Firefighter	42	21,875	22,382	22,901	23,408	23,959
Firefighter/EMT	42	21,875	22,382	22,901	23,408	23,959

SINGLE RATED

Call Firefighter \$105.44/Yr \$10.14 HR

OTHER SINGLE RATED

Emergency Medical Technician (EMT)	870/YR stipend
Fire Prevention Officer	600/YR
Fire Alarm Superintendent	600/YR
Master Mechanic	600/YR
Training Officer	600/YR
EMT Coordinator	600/YR
Fire Alarm Foreman	300/YR

POLICE DEPARTMENT

ANNUALLY RATED

Lieutenant		33,790				
Sergeant	37	27,183	27,812	28,463	29,104	29,684
Patrolman	37	22,651	23,175	23,720	24,254	24,736

CLASSIFICATION	HRS/WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
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POLICE DEPARTMENT cont'd

SINGLE RATED FY88						
Crime Prevention Officer		700/YR				
Photo/Fingerprint Officer		700/YR				
Juvenile Officer		700/YR				
Safety Officer		700/YR				
Detective		700/YR				
Training Officer		700/YR				
Parking Clerk		700/YR				
Mechanic		700/YR				
Matron		9.45/HR				

<u>HIGHWAY DEPARTMENT</u>	<u>START</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>	<u>STEP 6</u>
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ANNUALLY RATED

Foreman Hwy	21,823	22,287	22,751	23,249	23,713	24,187	24,669
Foreman Tree/Cem	21,823	22,287	22,751	23,249	23,713	24,187	24,669

HOURLY RATED

Master Mechanic	10.20	10.53	10.88	11.21	11.51	11.80	12.10
Asst. Mechanic	9.73	10.06	10.41	10.74	11.04	11.33	11.63
Hvy. Eq. Op.	9.18	9.45	9.72	9.93	10.26	10.59	10.93
Tree Surgeon	9.18	9.45	9.72	9.93	10.26	10.59	10.93
Trk &/or Lt.Eq.Op.	8.65	8.88	9.11	9.36	9.54	9.73	9.93
Tree Climber	8.65	8.88	9.11	9.36	9.54	9.73	9.93
Laborer (Heavy)	8.20	8.37	8.61	8.80	9.03	9.27	9.51
Laborer (Light)	7.47	7.64	7.84	8.02	8.23	8.44	8.66
Temp. Laborer	5.96	6.12	6.31	6.48	6.73	7.00	7.28
Landfill Monitor	6.93						

SINGLE RATED

Lead Foreman	\$1,050 per year
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CLASSIFICATION	HRS/WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
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LIBRARY

HOURLY RATED

Library Page	4.61	4.81	4.97
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PARK & RECREATION DEPT.

ANNUALLY RATED

Recreation Director P/T	9,194	9,563	10,038	10,561	11,090
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HOURLY RATED

Lifeguard	4.50	4.88	5.25	5.63	6.00
Water Safety Instructor	5.25	5.63	6.00	6.38	6.75

CLASSIFICATION	HRS/WEEK	MINIMUM	STEP 1	STEP 2	STEP 3	MAXIMUM
<u>PARK & RECREATION DEPT. cont'd</u>						

SEASONALLY RATED

Playground Supervisor		1,962	2,043	2,144	2,253	2,367
Arts & Crafts Supervisor		1,962	2,043	2,144	2,253	2,367
Playground Instructor		5.85 -	6.76			
Temp. Laborer		5.23 -	6.12			
Monitors		5.23 -	6.12			
Teen Center Coordinator		8.86 -	13.29			

TOWN ADMINISTRATION

SINGLE RATED

Vets. Agent & Dir.	3,000/YR
Animal Inspector	1,323/YR
Cust. - Voting Machines	7.30/HR
Census Taker	5.55/HR
Elect. Warden	5.55/HR
Elect. Clerk	5.55/HR
Dep. Elect. Warden	5.55/HR
Dep. Elect. Clerk	5.55/HR
Elect. Off. & Teller	5.26/HR
Plumbing Insp.	FEES
Assistant Dog Officer	8.00/HR When called

<u>SUDBURY SUPER. ASSOC.</u>	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
Library Director	28,863	29,730	30,621	31,540	32,485	33,459
Director of Health	33,875	34,889	35,936	37,015	38,126	39,269
Town Engineer	39,610	40,798	42,022	43,283	44,580	45,919
Supt Parks/Grds Mgmt	26,501	27,296	28,115	28,959	29,827	30,722
Asst. Highway Surveyor	29,907	30,803	31,729	32,680	33,660	34,669
Highway Oper. Asst.	25,255	26,011	26,792	27,595	28,426	29,277
Building Inspector	32,949	33,937	34,957	36,005	37,084	38,196
Supv. of Town Bldgs.*	24,872	25,618	26,387	27,179	27,994	28,834
Assistant Assessor	32,950	33,939	34,957	36,006	37,086	38,199
Town Planner	35,110	36,163	37,248	38,365	39,516	40,701
Police Lt./Adm. Asst.	35,451	36,515	37,610	38,738	39,900	41,097
Dir. of Fin./Town Acct.	41,714	42,965	44,254	45,582	46,949	48,357

* 40 hours/week.

<u>ENGINEERING ASSOC.</u>	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
E-1 Engineer, Aide I	14,759	15,201	15,658	16,128	16,613	17,114
E-2 Engineer, Aide II	16,973	17,483	18,006	18,547	19,103	19,678
E-3 Engineer, Aide III	19,520	20,104	20,708	21,330	21,969	22,628
E-4 Jr. Civil Eng.	22,446	23,122	23,814	24,529	25,263	26,022
E-5 Civil Eng.	25,255	26,011	26,792	27,595	28,426	29,277
E-6 Sr. Civil Eng.	28,411	29,264	30,142	31,046	31,978	32,935
E-7 Asst. Town Eng.	31,962	32,923	33,909	34,927	35,974	37,055

NOTE: FULL-TIME EMPLOYEES ARE NORMALLY SCHEDULED TO WORK 35 HOURS PER WEEK. FULL-TIME EMPLOYEES WHO ARE DENOTED AS NORMALLY SCHEDULED TO WORK 40 HOURS PER WEEK ARE PAID FOR A WEEK'S WORK AT 40 TIMES THE STATED HOURLY RATE. THE ANNUAL RATE IS BASED ON 52.2 WEEKS PER YEAR.";

- B. By deleting Section 4, Salary Plan, Part (1) application, and substituting therefor the following:

"Section 4. Salary Plan.

(1) Application

The minimum and maximum salaries, or the single rate salaries, for the groups and positions in the Classification Plan are to be established by vote of the Town in Town Meeting, and are to be set forth in this Bylaw in Schedule B, entitled 'Salary Plan'. The salary range, or rate, for a group shall be the salary range, or rate, for all positions in the group.

The minimum salary set for any position in the Salary Plan shall be the starting salary for that position, unless the Personnel Board authorizes a higher starting salary under Section 8, Paragraph (6).

Where the salary plan provides both a maximum and minimum salary for a position, both regular part-time and regular full-time employees holding the position shall be entitled to the salary set therefor in Steps 2 through 7 after continuous satisfactory performance, as recommended by the appropriate department head with notice to the Personnel Board to insure compliance with its performance review plan, with the Town for the following periods:

Minimum						Maximum
Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
(start)	1 year	2 years	3 years	4 years	5 years	6 years

Employees receive step increases effective on the anniversary of the date the employee began continuous employment with the Town (anniversary date of hire), regardless of promotions or reclassifications of the employee since date of hire.

The preceding sentence shall not affect the present anniversary date of hire of employees hired before 6/30/88.

When an employee is reclassified to a higher salary grade, the increase in salary will be effective as of the first pay period after the request for reclassification was submitted to the Personnel Board, unless the Personnel Board determines otherwise. When an employee is promoted to a higher salary grade, the increase in salary will be effective as of the date the employee starts in the new position.

Temporary employees shall be paid the starting wage for the position they hold unless the Personnel Board authorizes a higher step within the range, based on the experience, and qualifications of the employee. No employee of the Town at the time of amendment of the Salary Plan shall suffer a reduction of pay by virtue of such amendment.

Positions set forth in the Salary Plan, Schedule B, which are currently in a certified or recognized collective bargaining unit shall only be

subject to the Salary Plan, Schedule B, portion of the Personnel Bylaws, to the extent that it is not inconsistent with a valid current collective bargaining agreement.";

- C. By deleting Section 7, Incidental Benefits, Part (2), Sick Leave, in its entirety and substituting therefor the following:

"(2) Sick Leave: Each regular employee is eligible for sick leave after completing one full month of employment.

Regular full-time employees: Each regular full-time employee shall be entitled to one (1) day of sick leave per calendar month. The one (1) day of sick leave is credited to the employee at the end of each month. Unused sick days may be accumulated from fiscal year to fiscal year up to a maximum of 120 days.

Regular part-time employees: Each regular part-time employee shall be entitled to annual sick leave earned at the rate of 12 hours multiplied by the number of hours that the employee is normally scheduled to work per week and divided by five (5). The applicable amount of sick leave hours will be credited at the end of each month. Payment for time taken as sick leave shall be the payment that the employee would have normally received for that day up to the amount of sick leave hours available to the employee.

Unused sick time may be accumulated from fiscal year to fiscal year up to a maximum of ten (10) times the employee's annual rate of accrual.

Part-time employees with irregularly scheduled hours: Part-time employees who do not work regularly scheduled hours (e.g., Recording Secretaries) may receive sick leave (1) for time that the employee would have been required to work (e.g., a meeting of the Town Board in question) and (2) for the period of an extended disability but excluding the first two (2) weeks of absence. The amount of paid sick leave per year which such an employee may take and the total amount which may be accumulated shall be computed and earned in the same manner as for other part-time employees.

Sick Leave Buy-back: Regular full-time employees with 120 days of accumulated sick leave may each year sell back to the Town up to twelve (12) days at 50% of the applicable rate, effective July 1, 1988 (FY1989).

A regular full-time employee who retires from service in the employ of the Town of Sudbury and retires into the state or county retirement system shall receive from the Town payment at the then current rate of pay equal to 50% of the daily pay times the number of unused accumulated sick days.

Sick Leave Bank. A sick leave bank shall be created for regular full-time employees and regular part-time employees with regularly scheduled working hours which will be jointly administered by a committee of one (1) Personnel Board designee and two (2) Town employee designees. The Joint committee may establish rules and

regulations for the administration and operation of this bank, provided said rules and regulations do not conflict with the Personnel Administration Plan. To be eligible to use the bank, an employee must contribute three (3) days of his sick leave each year. Further, an employee must exhaust his own accumulated sick days before he is eligible to use the bank. The maximum number of bank days any employee may be granted is twelve (12) times the number of years of his service. Although employees to be eligible are required to deposit three (3) days per year, the total number of days available in the bank shall not exceed seven hundred twenty (720) days. The contribution of, and grant to, a regular part-time employee shall be appropriately pro-rated.

For every week an employee receives Workmen's Compensation benefits, he shall be entitled to 1-1/2 days of available sick leave, not to exceed his regular pay nor his sick leave entitlement.

An employee granted sick leave of five (5) consecutive days or more shall, prior to returning to work, submit to the department head and the Personnel Board satisfactory medical evidence of good health. An employee absent due to personal illness or injury shall upon request submit to the department head or the Personnel Board, as the case may be, satisfactory medical evidence of the personal illness or injury.";

- D. By deleting Section 7, Incidental Benefits, Part (3), Vacations, and substituting therefor the following:

"(3) Vacations: A regular employee with at least five (5) months continuous service shall be entitled to paid vacation during the first fiscal year of employment in accordance with the following schedule:

	<u>1st Year of Employment</u> <u>Date of Employment</u>	<u>Paid Vacation Entitlement</u>	
		<u>Dept. Heads</u>	<u>Others</u>
(Employed during this period)	July or August	12 days	10 days
	September thru January	6 days	5 days
	February thru June	none	none

After the first fiscal year of employment, vacation entitlement shall be based on the years of continuous town service which shall be completed during the fiscal year as follows:

<u>Years of Continuous Town Service</u>	<u>Paid Vacation Entitlement</u>	
	<u>Dept. Heads</u>	<u>Others</u>
One (1) and two (2)	15 days	10 days
Three (3) and four (4)	15 "	12 "
Five (5) thru seven (7)	17 "	15 "
Eight (8) and nine (9)	20 "	17 "
Ten (10) and eleven (11)	20 "	20 "
Twelve (12) thru fourteen (14)	22 "	20 "
Fifteen (15) thru nineteen (19)	25 "	20 "
Twenty and above	25 "	25 "

In no case shall an employee be entitled to paid vacation prior to completing five (5) months continuous service. The vacation period shall be the fiscal year, i.e., July 1 through June 30. However, eligibility shall be determined by the anniversary date of hire, e.g. if an employee shall complete ten (10) years of continuous service during a fiscal year, he/she shall be entitled to twenty (20) days of vacation in that period of July 1 through June 30.

In the event that an employee voluntarily terminates his/her employment with the Town, his/her paid vacation entitlement for that fiscal year shall be calculated as follows:

$$\frac{\text{Work days between July 1 and termination}}{260 \text{ work days per year}} \times \text{Annual Vacation} = \text{Vacation Entitlement}$$

If the employee has taken paid vacation in excess of the entitlement so calculated, such excess pay shall be deducted from his/her final paycheck.

A regular part-time employee's daily vacation pay shall be equal to the present hourly rate, multiplied by the average weekly hours worked for the previous 12 months divided by 5. In the first year such an employee's daily vacation pay is based upon the average weekly hours worked since the employee was hired.

Vacation may not be carried forward from one fiscal year to the next. Leave granted for temporary military service may not be charged against an employee's vacation without the employee's consent. The vacation schedule compensates department heads for additional work burdens outside the normal working hours, and compensatory time, if it ever existed for said professionals, is hereby abolished.";

E. By adding to Section 7, a new subsection (8) as follows:

"(8) Maternity/paternity leave: Employees shall be granted maternity/paternity leave in accordance with applicable state and federal law.";

or act on anything relative thereto.

Submitted by the Personnel Board.

PERSONNEL BOARD REPORT: There are several proposed changes to the Personnel Bylaw. Some which should be noted are:

Schedule A. Classification Plan: Employees in the positions denoted as having a 40-hour work week would be paid the hourly rate times (x) 40. These employees were previously paid for only 35 hours, although they were required to work 40 hours. This change is being proposed so employees will be compensated equally for equal work.

Section 4. Salary Plan: Employees would receive step increases on their anniversary date of hire, regardless of whether a promotion or reclassification has occurred in the interim. A step increase is based on the successful completion of a year of service. Previously such an increase was not awarded merely because the employee was promoted within the year, and an inequity resulted.

Section 7. Sick Leave

- 1) Part-time employees are currently allowed to accumulate only 12 days of sick leave, while full time employees can accumulate 120 days. The proposed changes allow part-time employees to accumulate a pro-rata amount of the full-time allowance based on the number of days the employee works each week.
- 2) Sick leave for part-time employees with irregularly scheduled hours had never been covered in the Bylaws. This policy is proposed to be added.
- 3) A sick leave buy-back program would be added. This is a benefit enjoyed by the Town's unionized personnel which we feel should apply to nonunion personnel as well.

Section 7. Vacations

- 1) An additional week of vacation would be granted to employees with 20 years of service. This benefit is intended to afford parity with the Town's unionized employees.
- 2) It is proposed that all part-time employees be eligible for vacation pay based on the average weekly hours worked in the previous 12 months, instead of the previous 5 months, to avoid inequitable results.

Section 7. Maternity/Paternity Leave: There has been no policy to date on maternity/paternity leave.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 4. LANDFILL ENTERPRISE

To see if the Town will vote to accept the provisions of M.G.L. c.40, s.39K, inserted by Chapter 306 of the Acts of 1986, in order to establish a separate account, to be classified as the Landfill Enterprise Fund, maintained by the Town Treasurer, and used for the Town's Sanitary Landfill and its operation; or act on anything relative thereto.

Submitted by the Board of Selectmen and Highway Surveyor/Landfill Agent.

BOARD OF SELECTMEN REPORT: The establishment of an Enterprise Fund to operate the Landfill is the first step toward a self-sustaining operation with the added goal of funding recycling and composting programs, as well as building an account which will be needed to support future solid waste disposal operations. The Resource Recovery Committee, Sanitary Landfill Agent, and Board of Selectmen unanimously endorse this article and urge voter support. A further report will be made at Town Meeting, including a report from the Resource Recovery Committee upon its activities and recommendations for conserving the Landfill. Please see Article 5 in this Warrant for the Enterprise Fund Operating Budget.

FINANCE COMMITTEE REPORT: The Finance Committee favors this first step in the long-term fiscal planning of the Landfill. Recommend approval.

ARTICLE 5. BUDGET

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the following sums, or any other sum or sums, for any or all Town expenses and purposes, including debt and interest and out-of-state travel, to fix the salaries of all elected officials and to provide for a Reserve Fund, all for the Fiscal Year July 1, 1988 through June 30, 1989, inclusive, in accordance with the following schedule, which is incorporated herein by reference; and to determine whether or not the appropriation for any of the items shall be raised by borrowing; or act on anything relative thereto.

Submitted by the Finance Committee. (Two-thirds vote required if items are bonded or if Stabilization Funds are applied.)

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
100 EDUCATION					
SUDBURY PUBLIC SCHOOLS					
Salaries	5,124,106	5,566,291	5,976,553	6,789,446	6,516,000
Expenses	1,265,173	1,305,997	1,518,083	1,597,181	1,597,181
Equipment	36,735	57,907	133,477	195,000	145,000
Community Use	12,000	15,758	0	0	0
Subtot Sudbury Pub.Scls	6,438,014	6,945,953	7,628,113	8,581,627	8,258,181
Offsets, including METCO	114,810	142,166	166,506	105,595	105,595
110 Net Sudbury Public Scls	6,323,204	6,803,787	7,461,607	8,476,032	8,152,586
L-S REGIONAL H.S.					
130 Sudbury Assessment	4,373,089	4,904,995	5,412,355	5,804,551	5,804,551
MINUTEMAN VOC. H.S.					
140 Sudbury Assessment	308,493	367,533	457,070	449,347	369,425
TOTAL 100 BUDGET	11,004,786	12,076,315	13,331,032	14,729,930	14,326,562

(See detailed school budgets starting on Page 42.)

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
200 DEBT SERVICE					
-201 Temp. Loan Int.	26,380	15,408	50,000	40,000	40,000
-203 Other Bond Int.	50,336	38,540	21,293	74,183	74,183
-205 Principal, Others	272,067	286,500	179,000	94,000	94,000
200 TOTAL DEBT SERVICE	348,783	340,448	250,293	208,183	208,183
(Police Sta: P & I)	119,963	109,988	0	0	0
(Roof Repairs: P & I)	104,125	96,475	88,825	0	0
(Stone Tavern: P & I)	71,390	68,440	66,080	63,720	63,720
(Septage: P & I)	26,925	50,137	45,388	43,213	43,213
(Sr. Center: ½ yr I)	0	0	0	35,000	35,000
(Schl.Arch.Fees: ½ yr I)	0	0	0	26,250	26,250
300 PROTECTION					
310 FIRE DEPT					
-100 Chief's Salary	40,145	45,215	49,294	51,231	51,231
-110 Salaries	756,279	806,106	856,392	871,910	871,040
-120 Overtime	94,175	96,818	103,795	104,833	104,833
-130 Clerical	14,380	16,695	18,239	18,337	18,337
-140 Dispatchers	27,071	44,272	57,577	68,334	68,334
-151 Sick Buyback	13,029	9,949	4,815	12,433	10,898
Total Personal Services	945,079	1,019,055	1,090,112	1,127,078	1,124,673
-210 General Expense	9,324	13,611	13,510	18,010	17,010
-310 Maintenance	31,120	30,512	34,015	30,350	29,915
-420 Travel, Out of State	353	509	600	1,000	1,000
-510 Equipment	12,215	9,692	10,450	11,550	11,550
-620 Alarm Maint.	2,461	830	2,500	1,500	1,500
-710 Uniforms	10,416	14,938	15,200	15,200	15,200
-810 Tuition	2,465	1,836	2,500	2,000	2,000
Total Expenses	68,354	71,928	78,775	79,610	78,175
-901 Capital Items	10,000	125,000	11,648	154,118	154,118
Total Capital Spending	10,000	125,000	11,648	154,118	154,118
310 Total	1,023,433	1,215,983	1,180,535	1,360,806	1,356,966
Offset:Revenue Sharing	65,000	37,500	13,848	0	0
Offset:Stabiliz. Fund	0	125,000	0	130,000	130,000
Net Budget	958,433	1,053,483	1,166,687	1,230,806	1,226,966

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
320 POLICE DEPT					
-100 Chief's Salary	41,184	50,554	55,203	55,203	55,203
-110 Salaries	713,619	773,812	885,144	918,170	914,671
-120 Overtime	140,430	167,662	170,773	170,773	164,172
-130 Clerical	16,881	32,704	35,775	38,106	38,106
-151 Sick Buyback	422	820	1,481	1,892	1,892
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Total Personal Services	912,536	1,025,552	1,148,376	1,184,144	1,174,044
-210 General Expense	23,489	38,819	34,085	48,910	45,910
-255 Contracted Services	0	0	0	25,000	0
-310 Maintenance	16,004	17,274	18,915	21,565	19,915
-410 Travel	3,114	2,521	3,100	4,600	3,500
-420 Travel, Out of State	180	340	700	1,000	1,000
-510 Equipment	0	0	5,700	6,800	6,800
-710 Uniforms	12,853	17,749	18,000	18,200	17,400
-810 Tuition	8,842	2,728	10,000	3,000	3,000
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Total Expenses	64,482	79,431	90,500	129,075	97,525
-901 Capital Items	63,144	59,161	42,084	99,000	49,000
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Total Capital Spending	63,144	59,161	42,084	99,000	49,000
320 Total	1,040,162	1,164,144	1,280,960	1,412,219	1,320,569
Offset:Revenue Sharing	65,000	37,500	13,847	0	0
Net Budget	975,162	1,126,644	1,267,113	1,412,219	1,320,569
340 BUILDING DEPT.					
-100 Inspector's Salary	33,684	37,105	38,960	38,960	38,960
-110 Assistant Bldg Inspector	0	0	0	22,819	0
-120 Overtime	1,606	1,620	2,000	2,000	1,500
-130 Clerical	17,496	19,550	21,648	22,647	22,647
-140 Deputy Inspector	1,646	2,640	5,640	5,640	5,640
-150 Custodial	55,499	62,755	67,798	83,248	69,401
-160 Plumbing Inspector	10,179	9,500	9,500	9,500	9,500
-170 Retainer: Plumbing	2,000	2,000	2,000	2,000	2,000
-180 Sealer of Weights	1,500	1,500	1,500	1,500	1,500
-190 Wiring Inspector	6,240	6,480	6,480	6,264	6,264
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Total Personal Services	129,850	143,150	155,526	194,578	157,412

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
340 BUILDING DEPT (cont.)					
-210 General Expense	782	933	1,000	1,000	1,000
-310 Vehicle Maintenance	338	1,091	1,500	1,500	1,500
-320 Town Bldg. Maint.	70,115	63,868	72,080	70,880	63,580
-325 Hosmer House	0	11,864	10,970	16,900	11,000
-327 Haynes Meadow House	0	0	2,000	500	500
-330 Excess Bldg.	9,425	11,365	11,700	27,200	23,700
-410 Travel	603	577	650	1,150	650
-420 Travel, Out of state	0	150	200	200	200
-510 Equipment	0	0	1,117	0	0
Total Expenses	81,263	89,848	101,217	119,330	102,130
Total Capital Spending	0	0	0	0	0
340 Total	211,113	232,998	256,743	313,908	259,542
350 DOG OFFICER					
-100 Dog Officer's Salary	16,182	17,445	19,728	20,605	20,605
-120 Overtime	510	320	1,085	0	0
-140 Extra Hire	0	0	0	1,085	500
Total Personal Services	16,692	17,765	20,813	21,690	21,105
-210 General Expense	2,777	2,381	3,082	3,082	2,500
-310 Vehicle Maintenance	0	0	200	200	200
Total Expenses	2,777	2,381	3,282	3,282	2,700
Total Capital Spending	0	0	0	0	0
350 Total	19,469	20,146	24,095	24,972	23,805
360 CONSERVATION COMMISSION					
-100 Conservation Coordinator	13,520	18,253	20,072	20,186	20,186
-130 Clerical	0	0	4,000	4,177	4,177
-140 Extra Hire	0	0	0	0	0
Total Personal Services	13,520	18,253	24,072	24,363	24,363
-210 General Expense	2,975	3,143	5,000	5,000	5,000
-220 Computer	0	0	2,250	350	350
-256 Contracted Services	0	0	0	5,000	0
-310 Maintenance	1,993	10,673	10,000	10,000	10,000
-410 Travel	224	277	350	350	350
-510 Equipment	0	0	350	750	750
Total Expenses	5,192	14,093	17,950	21,450	16,450
-900 Conservation Fund	0	15,000	25,000	10,000	0
Total Capital Spending	0	15,000	25,000	10,000	0
360 Total	18,712	47,346	67,022	55,813	40,813

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
370 BOARD OF APPEALS					
-130 Personal Services (Cler)	4,046	4,660	6,667	6,640	6,640
-210 Expenses (Gen. Exp.)	1,234	1,081	1,250	1,750	1,750
-901 Total Capital Spending	0	0	0	0	0
370 Total	5,280	5,741	7,917	8,390	8,390
TOTAL 300 BUDGET	2,318,169	2,686,358	2,817,272	3,176,108	3,010,085
Offsets	130,000	200,000	27,695	130,000	130,000
NET 300 BUDGET	2,188,169	2,486,358	2,789,577	3,046,108	2,880,085
410 HIGHWAY DEPT					

-100 Surveyor's Salary	38,478	40,402	46,202	48,975	48,975
-110 Salaries	420,450	460,244	523,247	556,889	518,431
-120 Overtime	8,657	5,733	11,921	16,915	16,915
-130 Clerical	14,314	17,453	19,815	19,827	19,827
-140 Tree Warden	670	725	800	850	850
-151 Sick Buyback	0	792	6,753	2,012	2,012

Total Personal Services	482,569	525,349	608,738	645,468	607,010
-210 General Expense	4,812	4,498	4,500	5,700	4,500
-218 Roadwork	155,484	193,077	212,655	232,354	228,854
-310 Bldg. Maintenance	6,147	6,136	7,770	7,770	7,770
-311 Trees	12,999	12,994	13,000	13,000	13,000
-334 Utilities	18,594	18,551	18,700	21,000	19,000
-410 Travel	23	53	100	100	100
-420 Travel, Out of State	500	800	800	800	800
-450 Landfill	3,495	4,651	5,600	17,672	3,672
-451 Cemeteries	4,987	6,395	11,350	12,700	11,350
-510 Equipment	0	0	3,000	0	0
-511 Vehicle Maintenance	122,929	122,902	122,800	135,968	130,000
-700 Street Lighting	56,402	63,000	63,000	71,000	68,000
-710 Uniforms	7,135	8,489	8,650	9,050	8,650

Total Expenses	393,507	441,546	471,925	527,114	495,696
-901 Capital Items	72,775	125,000	150,000	200,000	200,000

Total Capital Spending	72,775	125,000	150,000	200,000	200,000
-121 Snow & Ice Overtime	35,363	74,636	33,113	33,372	33,372
-301 Snow & Ice Materials	91,827	111,724	76,562	89,090	89,090

Total Snow & Ice	127,190	186,360	109,675	122,462	122,462
TOTAL 410 BUDGET	1,076,041	1,278,255	1,340,338	1,495,044	1,425,168

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
TOTAL 410 BUDGET	1,076,041	1,278,255	1,340,338	1,495,044	1,425,168
Offset:Cemetery Fund	22,886	16,291	16,000	20,500	20,500
Offset:Sale of Town Land	69,000	0	82,535	0	0
Offset:Add'l Lottery Rev	0	0	32,245	0	0
Offset:Stabiliz. Fund	0	44,000	0	0	0
Offset:Abatement Surplus	0	0	0	155,000	155,000
Total Offsets	91,886	60,291	130,780	175,500	175,500
NET 410 BUDGET	984,155	1,217,964	1,209,558	1,319,544	1,249,668

NOTE: If the Landfill Enterprise Fund is approved under Article 4, several of the line items in 410 Highway Budget will be reduced and voted instead under the proposed 460 Landfill Enterprise Budget which follows.

460 LANDFILL #		
-100 Administration	18,704	18,704
-110 Salaries	139,398	139,398
-130 Clerical	13,707	13,707
Total Personal Services	171,809	171,809
-210 General Expense	4,228	4,228
-310 Maintenance	41,966	41,966
-500 Depreciation	31,561	31,561
Total Expenses	77,755	77,755
-901 Capital Items	0	0
Total Capital Spending	0	0
460 Total	249,564	249,564

460 LANDFILL ENTERPRISE: If Article 4 of this Town Meeting is passed, it is the Board of Selectmen's responsibility to recommend to Town Meeting the budget for the Landfill Enterprise Fund. The recommendation of the Board of Selectmen, in accordance with Chapter 306 of the Acts of 1986, is as follows: Total Budget: \$249,564; Income Estimate: \$249,564; Amount to be Raised: \$0.

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
500 GENERAL GOVERNMENT					

501 SELECTMEN					
-100 Exec. Sec'y Salary	53,760	58,419	61,759	61,936	61,936
-110 Admin. Salaries	0	15,542	51,803	54,859	54,859
-120 Overtime	1,850	1,850	500	500	500
-130 Clerical	58,916	64,280	58,067	60,321	60,321
-140 Selectmen's Salary	3,200	3,200	3,200	3,200	3,200
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Total Personal Services	117,726	143,291	175,329	180,816	180,816
-210 General Expense	6,845	7,628	5,700	8,000	8,000
-310 Maintenance	1,928	1,787	2,200	1,200	1,200
-410 Travel	1,646	2,440	2,100	1,000	1,000
-420 Travel, Out of State	600	631	1,200	1,000	1,000
-510 Equipment	0	690	600	500	500
-811 Surveys & Studies	1,193	0	0	10,000	8,000
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Total Expenses	12,212	13,176	11,800	21,700	19,700
-901 Capital Items	0	0	0	0	0
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Total Capital Spending	0	0	0	0	0
501 Total	129,938	156,467	187,129	202,516	200,516
502 ENGINEERING DEPT.					
-100 Engineer's Salary	42,696	35,116	45,919	44,995	44,995
-110 Salaries	108,410	94,154	128,829	128,633	128,633
-120 Overtime	356	591	0	1,000	0
-130 Clerical	14,880	16,759	18,304	19,059	19,059
-151 Sick Buyback	0	779	857	857	857
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Total Personal Services	166,342	147,399	193,909	194,544	193,544
-210 General Expense	5,958	5,975	6,500	10,700	8,450
-310 Maintenance	1,290	7,184	1,995	1,850	1,850
-410 Travel	27	0	50	100	100
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Total Expenses	7,275	13,159	8,545	12,650	10,400
-901 Capital Items	6,172	7,579	10,100	12,500	0
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Total Capital Spending	6,172	7,579	10,100	12,500	0
502 Total	179,789	168,137	212,554	219,694	203,944

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
503 LAW					
-100 Retainer	20,670	21,807	22,897	22,897	22,897
Total Personal Services	20,670	21,807	22,897	22,897	22,897
-210 General Expense	29,875	5,509	5,100	6,450	6,450
-255 Contracted Services	11,146	0	0	0	0
-256 Legal Expense	7,962	39,075	39,071	36,571	36,571
-500 Equipment	0	0	0	200	200
Total Expenses	48,983	44,584	44,171	43,221	43,221
-901 Capital Items	0	0	0	0	0
Total Capital Spending	0	0	0	0	0
503 Total	69,653	66,391	67,068	66,118	66,118
504 ASSESSORS					
-100 Asst. Assessor's Salary	27,603	30,207	32,984	36,006	34,305
-120 Overtime	2,069	2,481	2,500	2,500	2,500
-130 Clerical	42,492	47,579	53,137	55,457	55,457
-140 Assessors' Salaries	2,433	2,500	0	0	0
Total Personal Services	74,597	82,767	88,621	93,963	92,262
-210 General Expense	18,463	12,415	7,500	8,000	8,000
-255 Contracted Services	0	0	38,800	26,400	26,400
-310 Maintenance	175	235	1,450	2,250	350
-410 Travel	1,053	1,425	250	250	250
-510 Equipment	277	0	0	0	0
-810 Tuition	550	1,067	1,200	1,500	1,500
Total Expenses	20,518	15,142	49,200	38,400	36,500
-901 Capital Items	0	38,481	7,000	7,500	6,500
Total Capital Spending	0	38,481	7,000	7,500	6,500
504 Total	95,115	136,390	144,821	139,863	135,262
Offset: Sale of Town Bldg	0	30,193	0	0	0
Net Budget	95,115	106,197	144,821	139,863	135,262

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
505 TAX COLLECTOR					
-100 Tax Collector's Salary	18,232	19,144	24,680	27,207	27,207
-120 Overtime	975	1,032	500	1,000	1,000
-130 Clerical	31,293	35,497	32,139	31,695	31,695
-140 Attorney's Salaries	0	0	0	0	0
Total Personal Services	50,500	55,673	57,319	59,902	59,902
-210 General Expense	1,321	996	1,545	1,500	1,500
-310 Maintenance	48	48	110	110	110
-410 Travel	150	144	300	300	300
-521 Service Bureau	16,947	31,552	34,000	35,000	35,000
Total Expenses	18,466	32,740	35,955	36,910	36,910
-901 Capital Items	0	0	0	0	0
Total Capital Spending	0	0	0	0	0
505 Total	68,966	88,413	93,274	96,812	96,812
506 TOWN CLERK & REGISTRARS					
-100 Town Clerk's Salary	23,320	24,486	28,547	35,000	31,470
-120 Overtime	267	1,433	500	1,500	1,000
-130 Clerical	43,381	52,276	57,741	57,186	57,186
-140 Registrars	600	600	600	600	600
Total Personal Services	67,568	78,795	87,388	94,286	90,256
-210 General Expense	7,807	6,716	9,719	16,924	13,100
-220 Computer	0	0	1,889	5,849	1,850
-310 Maintenance	995	443	3,450	885	685
-410 Travel	629	541	800	800	800
-420 Travel, Out of State	410	0	0	0	0
-510 Equipment	0	0	2,336	2,437	2,437
-615 Elections	3,547	10,845	8,945	15,460	13,140
-810 Tuition	0	0	0	600	300
Total Expenses	13,388	18,545	27,139	42,955	32,312
-901 Capital Items	0	10,769	0	0	0
Total Capital Spending	0	10,769	0	0	0
506 Total	80,956	108,109	114,527	137,241	122,568

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
507 TREASURER					
-100 Treasurer's Salary	11,872	12,466	15,673	17,280	17,280
-130 Clerical	16,246	18,857	20,525	22,220	22,220
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Total Personal Services	28,118	31,323	36,198	39,500	39,500
-210 General Expense	1,249	8,057	9,000	10,000	10,000
-310 Maintenance	0	0	100	100	100
-410 Travel	935	974	1,200	1,300	1,300
-610 Tax Title Expense	225	120	3,000	3,000	3,000
-711 Bond and Note Issue	365	315	1,000	1,000	1,000
-810 Tuition	0	0	250	250	250
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Total Expenses	2,774	9,466	14,550	15,650	15,650
507 Total	30,892	40,789	50,748	55,150	55,150
508 FINANCE COMMITTEE					
-130 Personal Services (Cler)	3,320	1,455	4,083	3,922	3,922
-210 Expenses (Gen. Exp.)	163	145	180	200	200
508 Total	3,483	1,600	4,263	4,122	4,122
509 MODERATOR					
-100 Personal Services (Sal.)	0	0	0	0	0
-210 Expenses (Gen. Exp.)	0	98	150	150	0
509 Total	0	98	150	150	0
510 PERMANENT BLDG. COM.					
-130 Personal Services (Cler)	90	484	604	611	611
-210 Expenses (Gen. Exp.)	0	0	0	0	0
510 Total	90	484	604	611	611
511 PERSONNEL BOARD					
-130 Personal Services (Cler)	1,741	2,391	2,641	3,569	3,569
-210 General Expense	54	96	200	200	200
-510 Equipment	0	0	200	0	0
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Total Expenses	54	96	400	200	200
511 Total	1,795	2,487	3,041	3,769	3,769

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
512 PLANNING BOARD					
-100 Town Planner	26,500	31,414	34,304	38,365	34,305
-130 Clerical	11,144	12,616	19,675	17,285	17,285
-140 Extra Hire	0	0	0	361	361
Total Personal Services	37,644	44,030	53,979	56,011	51,951
-210 General Expense	1,624	2,459	3,600	3,600	3,600
-310 Maintenance	0	447	90	0	0
-410 Travel	0	0	650	650	650
-510 Equipment	356	0	1,000	530	530
-810 Tuition	0	791	800	800	800
-811 Surveys & Studies	0	2,500	0	0	0
Total Expenses	1,980	6,197	6,140	5,580	5,580
-901 Capital Items	0	0	0	0	0
Total Capital Spending	0	0	0	0	0
512 Total	39,624	50,227	60,119	61,591	57,531
513 ANCIENT DOCUMENTS COM.					
-210 Expenses (Gen. Exp.)	531	1,600	1,600	1,600	1,600
513 Total	531	1,600	1,600	1,600	1,600
514 HISTORIC DIST. COM.					
-130 Personal Services (Cler)	45	36	75	75	75
-210 Expenses (Gen. Exp.)	74	72	80	85	85
514 Total	119	108	155	160	160
515 HISTORICAL COMMISSION					
-130 Personal Services (Cler)	0	0	0	0	0
-210 General Expense	827	537	1,000	1,675	875
-510 Equipment	0	0	4,365	1,500	1,200
Total Expenses	827	537	5,365	3,175	2,075
515 Total	827	537	5,365	3,175	2,075
516 CABLE TV COMMISSION					
-130 Personal Services (Cler)	0	0	0	0	0
-210 Expenses (Gen. Exp.)	0	0	0	1,000	400
516 Total	0	0	0	1,000	400

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
517 DESIGN REVIEW BOARD					
-130 Personal Services (Cler)	0	0	0	2,357	2,357
-210 General Expense	0	0	0	175	175
-810 Tuition	0	0	0	400	0
Total Expenses	0	0	0	575	175
517 Total	0	0	0	2,932	2,532
518 COUNCIL ON AGING					
-100 Director's Salary	8,021	8,462	10,101	17,694	17,694
-110 Van Driver	5,713	8,435	9,712	11,660	11,660
-120 Outreach Worker	2,248	2,199	4,535	6,781	6,781
Total Personal Services	15,982	19,096	24,348	36,135	36,135
-210 General Expense	3,873	4,096	4,420	5,120	5,120
-310 Maintenance	2,967	2,835	3,260	3,260	3,260
-410 Travel	0	0	0	250	250
-420 Out of State Travel	0	0	0	100	100
-510 Equipment	343	511	250	250	250
-611 Programs	0	250	250	0	0
-622 Transportation	1,247	1,268	1,550	1,710	1,710
Total Expenses	8,430	8,960	9,730	10,690	10,690
-901 Capital Items	0	0	0	0	0
Total Capital Spending	0	0	0	0	0
518 Total	24,412	28,056	34,078	46,825	46,825
519 TALENT SEARCH					
-120 General Expense	89	0	0	0	0
519 Total	89	0	0	0	0
521 ACCOUNTING					
-100 Town Accountant's Salary	36,748	40,682	44,425	47,888	45,314
-120 Overtime	143	554	700	728	728
-130 Clerical	34,088	37,875	41,358	43,065	43,065
Total Personal Services	70,979	79,111	86,483	91,681	89,107

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
521 ACCOUNTING (cont.)					
-210 General Expense	19,129	20,703	3,192	3,613	3,115
-220 Computer	6,201	8,854	19,123	16,424	16,424
-310 Maintenance	69	266	359	370	370
-410 Travel	235	275	590	590	590
-510 Equipment	129	16	280	300	300
-616 Outstanding Receivables	3,931	0	0	0	0
-810 Tuition	75	0	250	250	250
Total Expenses	29,769	30,114	23,794	21,549	21,049
-901 Capital Items	0	0	0	0	0
Total Capital Spending	0	0	0	0	0
521 Total	100,748	109,225	110,277	113,230	110,156
TOTAL 500 BUDGET	827,027	959,117	1,089,773	1,156,559	1,110,151
Offsets		30,193			
NET 500 BUDGET	827,027	928,924	1,089,773	1,156,559	1,110,151
600 GOODNOW LIBRARY					
-100 Director's Salary	30,205	32,271	34,129	33,011	33,011
-110 Salaries	157,790	179,839	200,355	199,652	192,331
-120 Overtime	1,779	2,403	2,200	3,069	3,069
-150 Custodial	8,064	9,820	10,385	10,045	10,045
Total Personal Services	197,838	224,333	247,069	245,777	238,456
-210 General Expense	5,410	5,780	5,050	6,700	6,000
-310 Maintenance	16,126	18,282	10,325	15,900	14,400
-410 Travel	75	85	175	250	250
-420 Travel, Out of State	0	0	0	0	0
-510 Equipment	605	499	3,000	1,000	1,000
-520 Books	44,704	49,952	54,440	59,840	59,727
-616 Automation	0	0	0	6,000	6,000
Total Expenses	66,920	74,598	72,990	89,690	87,377
-901 Capital Items	0	0	0	25,816	25,816
Total Capital Spending	0	0	0	25,816	25,816
600 Total	264,758	298,931	320,059	361,283	351,649
Offset: State Aid	11,081	7,014	0	0	0
Offset: Dog Licenses	2,345	2,149	2,000	2,000	2,000
NET 600 BUDGET	251,332	289,768	318,059	359,283	349,649

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
700 PARK AND RECREATION					
-100 Supervisor's Salary	27,734	30,136	31,644	31,644	31,644
-110 Salaries	68,913	88,811	111,575	106,300	102,550
-120 Overtime	699	1,128	1,500	1,500	1,500
-130 Clerical	4,234	5,883	4,977	6,674	6,674
Total Personal Services	101,580	125,958	149,696	146,118	142,368
-210 General Expense	1,625	1,715	4,700	5,000	5,000
-310 Maintenance	24,117	23,618	44,545	27,000	27,000
-410 Travel	647	656	660	660	660
-510 Equipment	0	0	3,100	2,900	2,900
-610 Special Programs	9,135	10,677	14,400	14,000	14,000
-623 Teen Center	5,899	5,545	8,500	10,500	10,500
-710 Uniforms	843	824	850	1,200	1,200
Total Expenses	42,266	43,035	76,755	61,260	61,260
-901 Capital Items	0	16,157	7,300	36,000	23,000
Total Capital Spending	0	16,157	7,300	36,000	23,000
700 Total	143,846	185,150	233,751	243,378	226,628
Offset: Free Cash			33,453		
Net 700 Budget	143,846	185,150	200,298	243,378	226,628
701 TOWN POOL #					
-100 Director's Salary	0	0	30,000	28,000	28,000
-110 Salaries	0	0	82,000	98,500	98,500
-130 Clerical	0	0	18,000	16,800	16,800
Total Personal Services	0	0	130,000	143,300	143,300
-210 General Expense	0	0	17,500	19,500	19,500
-310 Maintenance	0	0	50,000	40,000	40,000
-410 Travel	0	0	0	200	200
-420 Out of State Travel	0	0	0	800	800
-500 Depreciation	0	0	0	67,000	67,000
-510 Equipment	0	0	0	0	0
-610 Programs	0	0	3,000	8,000	8,000
-803 Insurance & Benefits	0	0	0	28,000	28,000
Total Expenses	0	0	70,500	163,500	163,500
-901 Capital Items	0	0	5,300	0	0
Total Capital Spending	0	0	5,300	0	0
701 Total	0	0	205,800	306,800	306,800

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
701 Total	0	0	205,800	306,800	306,800
Offset: Free Cash			20,000	0	0
Net 701 Budget	0	0	185,800	306,800	306,800
 710 YOUTH COMMISSION					
-110 Salaries	0	0	0	0	0
-130 Clerical	0	0	0	0	0
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Total Personal Services	0	0	0	0	0
 -210 General Expense	0	0	0	100	100
-611 Community Programming	0	0	1,500	8,000	1,500
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Total Expenses	0	0	1,500	8,100	1,600
 710 Total	0	0	1,500	8,100	1,600
 715 350th CELEBRATION					
-210 Expenses (Gen. Exp.)	0	0	10,000	15,000	0
 715 Total	0	0	10,000	15,000	0
 TOTAL 700 BUDGET	143,846	185,150	451,051	573,278	535,028
Offsets	0	0	53,453	0	0
NET 700 BUDGET	143,846	185,150	397,598	573,278	535,028

701 TOWN POOL ENTERPRISE: In accordance with Chapter 306 of the Acts of 1986, the Board of Selectmen recommends the FY1989 Town Pool Enterprise Fund Budget as follows: Total Budget: \$306,800; Income Estimate: \$306,800; Amount to be Raised: \$0.

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
800 BOARD OF HEALTH					
-100 Director's Salary	33,414	36,310	39,269	39,269	39,269
-120 Overtime	660	909	0	0	0
-130 Clerical	16,746	18,756	20,510	21,322	21,322
-140 Animal Inspector	1,193	1,260	1,323	1,323	1,323
-141 Extra Hire	0	0	2,000	2,000	1,000
Total Personal Services	52,013	57,235	63,102	63,914	62,914
-210 General Expense	1,120	1,510	1,600	1,700	1,700
-310 Maintenance	396	538	600	200	200
-321 Lab Expense	2,771	4,300	4,300	4,500	4,500
-510 Equipment	267	0	0	0	0
-612 SVNA	31,438	32,224	33,520	34,545	34,545
-614 Community Outreach Prog	0	0	34,838	37,932	37,932
-712 Mosquito Control	15,000	15,000	18,000	19,000	19,000
-750 Septage: Interest	0	4,441	15,000	15,000	15,000
-751 Septage: Operation. Exp.	33,379	81,347	65,000	100,000	100,000
-811 Studies & Surveys	0	0	37,000	3,000	0
-910 Mental Health	6,000	6,000	8,788	9,000	8,765
-920 Hazardous Waste	4,200	9,350	20,000	20,000	20,000
Total Expenses	94,571	154,710	238,646	244,877	241,642
-901 Capital Items	0	0	0	0	0
Total Capital Spending	0	0	0	0	0
800 TOTAL	146,584	211,945	301,748	308,791	304,556
900 Veterans					
-100 Agent's Salary	2,709	2,859	3,001	3,001	3,001
Total Personal Services	2,709	2,859	3,001	3,001	3,001
-210 General Expense	584	0	750	750	750
-613 Veteran's Benefits	2,172	86	4,000	2,000	1,500
Total Expenses	2,756	86	4,750	2,750	2,250
900 TOTAL	5,465	2,945	7,751	5,751	5,251

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
950 UNCLASSIFIED					

EMPLOYEE BENEFITS					
-800 Health Insurance	665,592	707,500	790,890	940,000	940,000
Town Share:	299,050	317,880	355,347	418,770	418,770
Scl Share:	366,542	389,620	435,543	521,230	521,230
-801 Life Insurance	3,800	3,800	4,000	4,000	4,000
Town Share:	1,707	1,707	1,797	1,782	1,782
Scl Share:	2,093	2,093	2,203	2,218	2,218
-810 FICA/Medicare	0	6,785	12,000	28,000	28,000
Town Share:	0	3,049	5,392	12,474	12,474
Scl Share:	0	3,736	6,608	15,526	15,526
-811 Worker's Compensation	55,565	69,470	115,000	125,000	125,000
Town Share:	24,965	31,213	51,670	81,250	81,250
Scl Share:	30,600	38,257	63,330	43,750	43,750
-813 Retirement Fund	455,661	499,191	630,500	700,000	700,000
Town Share:	318,051	348,435	440,089	553,070	553,070
Scl Share:	137,610	150,756	190,411	146,930	146,930
-952 Pension Liab. Fund	20,000	20,000	20,000	20,000	20,000
Town Share:	13,960	13,960	13,960	15,802	15,802
Scl Share:	6,040	6,040	6,040	4,198	4,198
Total Employee Benefits	1,200,618	1,306,746	1,572,390	1,817,000	1,817,000
OPERATING EXPENSES					
-803 Property/Liab. Insurance	129,813	240,239	311,200	230,000	230,000
Town Share:	36,335	67,243	87,105	162,448	162,448
Scl Share:	93,478	172,996	224,095	67,552	67,552
-804 Print Town Report	6,649	6,571	5,000	6,000	6,000
-805 Memorial Day	1,025	619	1,115	1,275	1,275
-808 School Tuition	0	0	4,000	0	0
-812 Hydrant Availability Fee	23,485	24,360	24,885	25,235	0
-814 Town Meetings	9,372	13,444	11,800	13,800	12,800
-815 Postage	13,700	16,300	15,700	19,000	19,000
-816 Telephone	15,581	16,999	19,000	20,000	20,000
-818 Gasoline	40,573	34,332	40,000	40,000	40,000
-950 Volunteers Expen. Reimb.	0	0	0	2,500	0
-951 Copying	7,991	9,773	10,000	10,000	10,000
-953 Copiers: Equipment	0	0	5,550	0	0
Total Operating Expenses	248,189	362,637	448,250	367,810	339,075
950 TOTAL UNCLASSIFIED	1,448,807	1,669,383	2,020,640	2,184,810	2,156,075

	Expend. FY 86 *	Expend. FY 87 *	Approp. FY 88 **	Request FY 89	Recommend FY 89
950 TOTAL UNCLASSIFIED	1,448,807	1,669,383	2,020,640	2,184,810	2,156,075
(Total Town Related)	812,445	905,885	1,092,410	1,383,406	1,354,671
(Total School Related)	636,362	763,498	928,230	801,404	801,404
Offset: Free Cash	0	0	1,125,945	829,912	829,912
NET 950 BUDGET	1,368,807	1,609,383	794,695	1,354,898	1,326,163
970 TRANSFER ACCOUNTS °°					

-110 Salary Adjustment Acct.	0	148,985	0	240,000	240,000
-807 Reserve Fund	80,164	99,225	100,000	125,000	125,000
970 TOTAL TRANSFER ACCOUNTS	80,164	248,210	100,000	365,000	365,000
Offset: Abatement Surplus	80,000	60,000	100,000	125,000	125,000
NET 970 BUDGET	164	188,210	0	240,000	240,000
TOTAL OPERATING BUDGET	17,584,266	19,708,847	22,029,957	24,564,737	23,797,708
Total Offsets	315,312	359,647	260,475	432,500	432,500
Free Cash Applied	0	0	1,179,398	829,912	829,912
NET OPERATING BUDGET	17,268,954	19,349,200	20,590,084	23,302,325	22,535,296

°° Transfer accounts are appropriated to the 970 account and then transferred to other line items as needed. Thus for FY86 and FY87 this account is not included in the Total Operating Budget.

* Includes Reserve Fund and Line Item transfers, as well as transfers from the Salary Adjustment Account.

** Does not include Reserve Fund and Line Item transfers for FY88 to date.

PROPOSED WRAP-UP MOTION:

That appropriations within departmental budgets are funded hereunder as integrated line items, provided, however, that the departmental appropriations set forth within the following categories: Personal Services, Expenses, Total Equipment, Total Snow and Ice, Net Sudbury Public School, Sudbury Assessment (Schools), Total Debt Service, Total Unclassified, and Out-of-State Travel must be expended within those categories unless, in each instance, the Finance Committee grants prior approval.

1987-1988 RESERVE FUND TRANSFERS

Reserve Fund Appropriation	\$100,000.00
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<u>ACCOUNT NUMBER/DESCRIPTION</u>	<u>AMOUNT</u>
518-110 Council on Aging: Van Driver Salary	\$ 937.00
518-100 Council on Aging: Director, Council on Aging Salary	6,340.00
504-510 Assessors: Equipment	1,225.00
521-210 Accounting: General Expense (Audit)	19,000.00
310-210 Fire: General Expense	4,375.00
501-110 Selectmen: Admin. Salaries	890.00

BALANCE AS OF 1/31/88:	\$ 67,233.00
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In addition, the Finance Committee and Selectmen have jointly approved spending in excess of appropriation (under the provisions of M.G.L. Ch. 44, §31D) for accounts 410-121, Snow and Ice Overtime, and 410-301, Snow and Ice Materials, for a total of \$85,000. The deficit will be raised in the FY1989 Tax Rate.

100 EDUCATION: 110 SUDBURY PUBLIC SCHOOLS

<u>BUDGET SUMMARY 110</u>	<u>BUDGET 1986-87</u>	<u>BUDGET 1987-88 Adjusted</u>	<u>BUDGET 1988-89 Request</u>
A Account-Salaries	\$ 5,629,289	\$ 5,976,553	\$ 6,789,446
B Account-Supplies/Services	758,680	982,204	1,036,078
B' Account-Energy Related	533,260	535,879	561,103
C Account-Equipment	31,328	133,477	195,000
Total	\$ 6,952,557	\$ 7,628,113	\$ 8,581,627

OFFSETS:

METCO	40,235	40,235	40,235
METCO	40,000	65,000	5,000
PL 94-142	62,608	59,171	55,810
PL 89-313	2,625	2,100	4,550
Total Offsets	(145,468)	(166,506)	(105,595)
NET BUDGET	\$ 6,807,089	\$ 7,461,607	\$ 8,476,032
		9.6%	13.6%

A ACCOUNT - SALARIES

<u>PROGRAM & NUMBER</u>	<u>1987-88 Staffing</u>		<u>1988-89 Staffing</u>	
	<u>1987-88 NO. OF PERSONNEL</u>	<u>1987-88 SALARIES</u>	<u>1988-89 NO. OF PERSONNEL</u>	<u>PROJECTED 1988-89 SALARIES</u>
00 - Contract & Adm.	1.2	272,490	1.2	371,298
18 - Middle/Gr. 6	8.0	298,028	8.0	315,770
35 - Elem.Gr. 1-5	42.0	1,468,597	46.0	1,726,763
56 - Kindergarten	10.0	211,599	13.0	309,508
57 - Art	2.8	80,925	3.0	91,507
58 - Music	4.7	157,495	5.0	184,437
59 - Physical Ed.	6.0	220,920	6.0	234,174
60 - CORE/Gr. 7-8	18.0	597,372	17.0	637,835
61 - Reading	5.0	186,870	5.0	199,056
66 - Keyboard/Comp.	3.0	79,851	4.0	131,132
67 - Foreign Language	2.0	67,666	2.0	73,330
68 - Home Economics	1.8	49,159	1.8	52,614
69 - Industrial Arts	2.0	76,978	2.0	81,596
71 - Curriculum/Media	14.5	348,683	16.4	420,813
72 - Guidance	6.5	231,582	7.5	289,690
76 - Special Ed.	21.6	607,403	24.1	771,519
85 - School Mgmt.	13.5	342,271	13.5	378,693
86 - Central Mgmt.	6.1	234,827	6.1	236,958
87 - Catalyst	4.0	137,452	4.0	148,727
10 - Custodial	11.0	222,001	11.0	225,698
20 - Maintenance	3.1	84,384	3.1	93,096
TOTALS	186.8	5,976,553	199.7	6,974,214
School Committee Reduction				- 184,768
TOTAL REQUEST				6,789,446

<u>110 SUDBURY PUBLIC SCHOOLS</u>	<u>Budget 1986-87</u>	<u>Budget 1987-88</u>	<u>Request 1988-89</u>
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B ACCOUNTS - SUPPLIES, CONTRACTED SERVICES, TEXTS, ENERGY

00 Administration	\$ 74,250	\$ 89,940	\$ 94,140
56 Kindergarten	3,500	3,650	3,803
57 Art	9,516	9,880	9,193
58 Music	12,506	13,857	16,206
59 Physical Education	4,190	4,031	6,367
60 English	17,825	20,638	22,188
61 Reading	28,071	29,996	30,558
62 Science	15,466	15,609	15,632
63 Health Education	3,588	3,588	7,500
64 Mathematics	20,515	19,675	19,340
65 Social Studies	20,305	20,637	18,592
66 Keyboard	800	2,000	3,250
67 Foreign Language	2,630	2,750	2,650
68 Home Economics	4,900	5,150	5,500
69 Industrial Arts	7,500	7,550	7,500
71 Curriculum	75,209	94,425	130,225
72 Guidance	100	400	600
73 Health Services	61,452	74,144	87,251
76 Special Education	71,200	110,326	136,130
77 Tuition	133,250	250,750	275,750
78 Pupil Personnel Services	15,800	23,775	13,890
80 Transportation	291,840	301,589	324,073
85 School Management	14,547	16,230	16,538
86 Central Management	15,060	16,200	17,300
10 Custodial	27,700	28,362	29,825
20 Maintenance of Buildings	75,000	80,841	57,150
21 Utilities	241,420	234,290	237,030
30 Maintenance of Equipment	31,800	37,800	39,000
TOTALS	\$1,279,940	\$1,518,083	\$1,627,181
School Committee Reduction			- 30,000
TOTAL REQUEST			\$1,597,181

<u>C ACCOUNT - EQUIPMENT</u>	<u>\$31,328</u>	<u>\$133,477</u>	<u>\$225,000</u>
School Committee Reduction			- 30,000
TOTAL REQUEST			\$195,000

<u>STAFF PUPIL SUMMARY</u>	<u>1986-87</u>	<u>1987-88</u>	<u>1988-89</u>
Number of Pupils	1,697	1,709	1,740
Teaching Staff	123.9	128.2	137.1
Other Staff	57.3	58.6	62.6
Cost Per Pupil (Gross)	\$4,097	\$4,463	\$4,932

100 EDUCATION: 130 LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT

	<u>1986-87 Actual</u> <u>Expenditures</u>	<u>1987-88</u> <u>Budget</u>	<u>1988-89 Proposed</u> <u>& Recommended</u>
(Pupils)	(1297)	(1240)	(1190)
I. <u>INSTRUCTION</u>			
Art	7,048	7,950	7,000
Business	23,838	33,035	34,185
Computer	109,363	132,486	120,206
English/2nd Lang	11,708		
English	13,787	16,900	15,850
Foreign Language	12,936	10,700	12,100
History	10,480	12,300	13,050
Home Economics	6,389	8,970	8,770
LS West	7,162	6,550	8,050
Mathematics	7,843	8,225	7,225
Music	8,750	9,500	9,300
Physical Education	9,624	13,058	15,400
Science	18,649	19,030	21,800
Technology	14,870	15,775	27,840
Work Experience	5,642	2,800	3,125
Heys Seminar		1,000	
Human Relations	1,889	4,000	2,500
General Supplies	43,306	35,000	35,000
	<u>313,284</u>	<u>337,279</u>	<u>341,401</u>
II. <u>EDUCATIONAL SUPPORT</u>			
House Services	15,224	14,000	17,300
Student Services	43,228	44,080	51,246
Special Needs	409,467	525,900	661,450
Audio-Visual	22,653	25,000	23,150
Library	22,667	15,050	17,050
Student Activities	4,861	10,000	12,500
Athletics	93,814	88,000	104,400
Transportation	250,417	255,000	277,000
Development	4,828	7,500	10,000
	<u>867,159</u>	<u>984,530</u>	<u>1,174,096</u>
III. <u>OPERATIONS</u>			
Custodial	67,335	45,800	56,500
Grounds	21,457	25,000	25,500
Maintenance	127,116	155,468	178,000
Utilities	234,154	300,000	283,400
Insurance	52,304	60,175	60,200
	<u>502,366</u>	<u>586,443</u>	<u>603,600</u>

130 LSRHS	1986-87 Actual <u>Expenditures</u>	1987-88 <u>Budget</u>	1988-89 Proposed & Recommended
IV. <u>DISTRICT SERVICES</u>			
School Committee	38,250	37,201	29,001
Administration	21,614	54,700	33,500
Business Office	11,867	11,650	13,150
Central Office	33,529	14,200	19,500
Benefits	535,692	637,000	649,000
Contingency	0	25,000	25,000
Special Reserve		56,300	
	<u>640,952</u>	<u>836,051</u>	<u>769,151</u>
V. <u>SALARIES</u>			
Administration	464,390	482,500	569,900
Professional Staff	3,370,371	3,634,887	3,818,838
Educational Support	201,049	228,050	259,839
Athletics & Extra-curricular	144,183	172,640	186,000
Clerical	258,792	269,413	318,210
Maintenance	392,482	406,400	430,390
	<u>4,831,267</u>	<u>5,193,890</u>	<u>5,583,177</u>
VI. <u>DEBT AND CAPITAL</u>			
Building Debt	20,400		
Roof Debt	71,625	66,975	62,325
Capital Projects	187,739	50,000	
Renovation Debt			46,250
	<u>279,764</u>	<u>116,975</u>	<u>108,575</u>
TOTAL EXPENDED	7,434,792		
TOTAL BUDGET	7,584,453.37	8,055,168	8,580,000
OFFSETS:			
Chapter 70	636,997	707,774	707,774
Chapter 71	435,964	470,440	494,300
Transportation	245,000	220,000	240,000
Residential Tuition	100,000	100,000	100,000
Supplemental Aid	53,253		
Construction Aid	52,310.15	52,309	52,309
STATE AID sub-total	<u>1,523,524.15</u>	<u>1,550,523</u>	<u>1,594,383</u>
Adjustment for prior years	264,378.46	169,688.95	257,333.28
TOTAL OFF-SETS	<u>1,787,902.61</u>	<u>1,720,211.95</u>	<u>1,851,716.28</u>
TOTAL ASSESSMENT	5,796,550.76	6,334,956.05	6,728,283.72
SUDBURY ASSESSMENT	4,904,994.46	5,412,354.09	5,804,551.00
FINANCE COMMITTEE RECOMMENDED ASSESSMENT			5,804,551.00

100 EDUCATION: 140 MINUTEMAN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL

	Program Amount FY88	Requested & Recommended FY89	Diff.	%
<u>VOCATIONAL</u>				
Building Trades	\$ 74,100	\$ 74,700	\$ 600	
Commercial Services w/D.E.	18,618	17,373	- 1,245	
Electronics	34,362	33,724	- 638	
Technology	16,805	17,555	750	
Graphics	84,840	86,066	1,226	
Drafting	9,175	10,234	1,059	
Health Instruction w/Child Care	26,602	26,192	- 410	
Metal Fabrication	45,015	43,263	- 1,752	
Power Mechanics	29,615	31,360	1,745	
Afternoon Program/Summer Prog.	13,801	14,600	799	
Regional Occupational Program	11,285	9,930	- 1,355	
<u>ACADEMIC</u>				
Reserve Officer (LDRSHP)	2,800	1,000	- 1,800	
Communications	16,900	16,900	0	
Human Relations	6,500	6,500	0	
Foreign Language	2,700	2,500	- 200	
Mathematics	10,000	10,000	0	
Science	21,200	21,000	- 200	
Physical Education	9,790	9,745	- 45	
Athletics w/o coach, salaries	78,329	77,157	- 1,172	
Business Instruction	13,450	13,407	- 43	
Art	11,765	11,765	0	
Music	750	500	- 250	
Driver Education	500	500	0	
<u>SUPPORT</u>				
Instructional Resources	55,375	58,875	3,500	
Pupil Support	37,907	37,726	- 181	
Principal	64,275	83,275	19,000	
Transportation	804,742	766,342	-38,400	
Vocational Coordinator	8,750	8,750	0	
Computer Services	68,800	72,630	3,830	
Dean	2,400	2,400	0	
Superintendent	7,350	7,350	0	
Planning & Academics	43,260	43,260	0	
Food Service	11,250	9,800	- 1,450	
<u>OTHER</u>				
District Programs	4,740	4,740	0	
Legal Fees	30,000	30,000	0	
Audit Fees	9,000	16,000	7,000	
Business Office	22,950	22,400	- 550	
Risk Insurance	160,000	172,575	12,575	
Retirement/Employ. Benefits	525,540	588,000	62,460	
Debt Management	192,330	161,012	-31,318	
Equipment	209,602	209,323	- 279	
Operations/Maintenance	754,350	759,600	5,250	
Salaries	5,511,771	5,719,223	207,452	
Medicare (new)	8,947	18,200	9,253	
Final Total	\$9,072,241	9,327,452	255,211	+2.8%

MMRVTHS
DISTRICT APPORTIONMENT

1988 - 1989

I. OPERATING BUDGET:

Total Operating Budget	\$ 9,123,660
Aid/Revenue	<u>-3,929,880</u>
Operating Budget Apportionment	\$ 5,193,780

II. SPECIAL OPERATING:

Special Operating Costs	\$ 42,780
Credits	<u>- 25,000</u>
Special Costs Apportionment	\$ 17,780

III. CAPITAL BUDGET:

Capital Payments - New Town's Surcharges	\$ 45,200
Original Town's Credits	- 45,200
Debt Service	<u>161,012</u>
	\$ 161,012
Credit Ch. 645	<u>- 107,817</u>
Capital Apportionment, net	\$ 53,195

TOTAL APPORTIONMENT	5,264,755
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Apportionment Formula:

	% of Students	Operating	+	Spec. Oper.	+	Capital	=	Apportionment
SUDBURY:	8.640	448,754	+	652	+	(59)	=	449,347

FINANCE COMMITTEE BUDGET REPORTS: Where a report is not given on a particular budget or category of spending, the Finance Committee recommends approval of the amount given in the Recommended column.

110 SUDBURY PUBLIC SCHOOLS: The Sudbury Public School System continues to feel the pressure of increased student enrollment. The 1989 budget, which represents approximately 34% of the Town's total operating budget, has increased 9.2% over fiscal year 1988. The Finance Committee has agreed with requested increases in professional and support staff to serve the additional students. This is consistent with the School Committee's current class size guidelines. The Finance Committee has not supported other staffing requests aimed at "program enhancement" beyond the existing program. Recommend approval of \$8,152,586.

130 LINCOLN-SUDBURY REGIONAL SCHOOL DISTRICT: Sudbury's assessment for FY89 is \$5,804,551, which represents a 7.2% increase over last year's budgeted assessment. The total of the proposed district budget is \$8,580,000, which represents a 6.5% increase from FY87. The disparity in the percentages results from a continuing increase in the percent of Sudbury students attending the school.

The Finance Committee met with both the Regional District School Committee and the Lincoln Finance Committee in order to discuss both the Town's financial position and the school budgetary needs. All three bodies were most cooperative in reaching a compromise budget satisfactory to both the school committee and the member towns.

During the entire budget process, it was the position of the Finance Committee that though it would negotiate the grand total of the district budget request, the determination of the specific line item reductions to be made during those negotiations was within the province of Regional District School Committee. Recommend approval of \$5,804,551.

140 MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL: Sudbury has thirteen fewer students enrolled at Minuteman this year than last, and the Town's contribution to the student body has dropped from 9.05 percent of the total to 8.64 percent. However, most of the anticipated 19.2% reduction in Sudbury's assessment comes not from this decline in enrollment but from a new and more generous State aid formula provided by the recently adopted Chapter 731 of the General Laws. Without this new formula, Sudbury's assessment would be \$449,347, a 9.83% reduction from last year.

Minuteman, like most public secondary schools in the Commonwealth, continues to experience a long-term enrollment decline. This puts financial pressure on the School, whose plant and equipment costs are able to change very little, resulting in upward pressure on the per-pupil cost. One area which is subject to discretionary adjustment is staff size, and the Minuteman School Committee and the School's administration have done a commendable job of reducing staff to match the enrollment decline.

At the time this report was written, the Governor's Office had not yet certified the exact amount of additional aid to Minuteman under Chapter 731; therefore, the assessment figure of \$369,425 printed in the warrant is an estimate. It is possible that the final figure presented at Town Meeting will be different, but the difference if any, is expected to be small. Recommend approval of \$369,425.

200 DEBT SERVICE: There are a number of changes in this account for FY89. These include retirement of the debt service for Roof Repairs. This brings the net debt service that is included under the guidelines of Proposition 2½ to \$146,933 which is essentially level funded from FY88. Temporary loan interest is budgeted at \$40,000, down from \$50,000 for last year. This reflects the competitive interest rates the Town Treasurer has negotiated, as well as an expected decrease in required short-term borrowing. We have also recommended that the articles covering construction of the Senior Center and the School Architectural Fees be included as ballot questions in the March election, to determine if the Town will allow the debt service for these articles to be excluded from the limits of Proposition 2½. Exempt borrowing would be \$61,250 for FY89, which represents the first six months' interest only, with total debt service at \$208,183. With the budget constraints facing the Town, we believe this is the only way to finance the above articles and maintain other essential town services. Recommend approval of \$208,183.

310 FIRE DEPARTMENT: This year's budget includes \$130,000 for the purchase of a new fire engine, as provided in the Town's long-range capital plan. Other increases over last year are due mainly to increased personnel costs (step increases and cost-of-living adjustments). The fire engine will have a very long useful life expectancy (upwards of 25 years), and we feel that it is reasonable to pay for it out of the Stabilization Fund. Recommend approval of \$1,356,966.

320 POLICE DEPARTMENT: The Finance Committee supports most of the Police Department's requests, proposing relatively minor reductions in a few accounts, notably Overtime and General Expense. Two accounts in which we have proposed significant cuts are Contracted Services and Capital Items, reflecting our recommendation that purchase of a computer for records management be deferred until next year. We recognize the ultimate necessity of replacing the Department's manual records management procedures with a computerized system, but don't see how we can afford to do it in such a tight budget year. Recommend approval of \$1,320,569.

340 BUILDING DEPARTMENT: The recommended budget of \$259,542 represents a slight decrease from last year. \$8,100 is included for repairs and maintenance to the Hosmer House, \$9,500 for necessary improvements to Fairbank School, and \$4,800 for the replacement of the flat roof of the Town Hall. Faced with the budgetary constraints of Proposition 2-1/2, we are recommending against the Department's request for the hiring of an Assistant Inspector of Buildings at an annual salary of \$22,819. We likewise recommend against the the Department's request for \$7,300 to fund the installation of new storm windows on the Loring Parsonage and the replacement of windows in the Flynn Building. Recommend approval of \$259,542.

350 DOG OFFICER: This year's budget proposes the elimination of the overtime account in favor of a new account for a part-time on-call assistant to fill in when the Dog Officer is unavailable. The Finance Committee's reluctance to fully fund this account and the General Expense account at the requested levels is due to the fact that the Overtime Account and the General Expense account have been underspent in recent years. Recommend approval of \$23,805.

360 CONSERVATION: In keeping with a fiscally conservative posture which has necessitated serious cuts to other town budgets, the Finance Committee cannot recommend the allocation of funds to the Conservation Fund this year. It sees maintenance of existing parcels as a priority and cannot support additional land purchases at this time. The amount recommended reflects a decrease in the contracted services line item by \$5,000 and does not fund the Conservation Fund. Recommend approval of \$40,813.

410 HIGHWAY: Consistent with the Finance Committee's position on holding the line on personnel costs, we have restricted new hires with cuts to the salary line item. Additional cuts have been made to general expense, utilities, vehicle maintenance, street lighting, uniforms, landfill and cemetery line items. Recommend approval of \$1,425,168.

501 SELECTMEN: Increases in the Selectmen's Budget reflect only step increases for current personnel. The \$8,000 study is for the Residential Wastewater Treatment Advisory Committee to give the Town a plan for dealing with above ground septage treatment plants. We feel that this issue's importance makes it an exception to our "no new studies" guidelines. Recommend approval of \$200,562.

502 ENGINEERING: Have eliminated funding of new car, overtime and of educational training line item. Recommend approval of \$203,944.

503 LAW: The Law Budget is lower than last year due to an anticipated reduction in the need for Labor Counsel in 1989. Recommend approval of \$66,118.

504 BOARD OF ASSESSORS: The budget request from the Board of Assessors includes \$6,500 to develop and install a software package that will allow tax bills to be processed in house. This is a joint effort between the Assessors, Tax Collector, Treasurer and Town Accountant, and represents an example of centralizing the Town's computer functions to reduce cost and increase efficiency. Recommend approval of \$135,262.

506 TOWN CLERK/BOARD OF REGISTRARS: The Town Clerk's budget showed a requested increase of 20% for the department, including a 23% increase for the Town Clerk's salary. While the Finance Committee is responsible for recommending salaries for several elected officials, we rely to a large degree on the Personnel Board. As the Town Clerk's position was reviewed and regraded last year, we have included a (6%) COLA and 4% Longevity to be consistent with other elected town officials, and therefore recommend a salary for FY89 at \$31,470. We recognize that FY89 is a major election year, and that there are resulting increased costs to this department. This increase is identified as \$6,515, which we maintain should be \$4,195 based on actual expenditures in past election years. We have also allowed an increase of \$500 in the overtime costs because of the elections. In addition, the cost of printing the List of Persons will now be borne by the Town, which was previously donated by a local business. It is estimated that this will cost \$3,000. A request was made in the budget for \$5,849 for computer costs, including \$3,000 for a consultant and \$2,000 for new programs and support services. It is believed that the computer problems in the Town Clerk's office are due to the department's purchase of personal computers rather than tying in with the Town's mainframe, as had been approved in FY87. We, therefore, recommend that Town personnel look into the situation with the intention to tie in with Town's computer in the future, and recommend \$1,850 for this account for supplies and support services. Recommend approval of \$122,568.

511 PERSONNEL BOARD: The Personnel Board is asking for a \$728 increase in its budget to cover a 2-hour-per-week increase in its recording secretary's hours. This request is based upon a heavier workload due to the Personnel Board's triannual update of its salary and classification plan, the upgrading of its personnel data base and rating manual comparison grid, and a survey of other towns in order to determine current market rates. Recommend approval of \$3,769.

512 PLANNING: Recommend budget of \$57,531, which represents maintenance of planner's salary at existing approved level of \$34,305, a cut of \$4,060. Recommend approval of \$57,531.

516 CABLE TELEVISION COMMITTEE: The Cable Television Committee had requested funding for two townwide mailings; however, it suggests that one mailing will suffice. Recommend approval of \$400.

517 DESIGN REVIEW BOARD: Recommend a cut of \$400 from tuition request, a request which has hitherto never been funded. Recommend approval of \$2,532.

518 COUNCIL ON AGING: The major increase over the past year is in salaries. Before the summer of 1987, all Council on Aging personnel were individually rated. In July 1987, all positions were graded by the Personnel Board and placed on the Town classification grid. The resulting increase in salaries is a one-time event to bring these positions within reasonable market levels. Recommend approval of \$46,825.

600 GOODNOW LIBRARY: Increases in the library budget are due to: the addition of an enclosed emergency exit from the children's department as proposed in the Maintenance Line Item, a \$6,000 fee to the Minuteman Library Network formerly paid from a challenge grant, increases in the book budget as determined by a state reimbursement formula to which the Town subscribes, and, principally, the replacement of carpeting in the entire library exclusive of the children's department. The existing carpet is beyond any further attempts at repair. A reduction in requested staff hours is recommended consistent with the Finance Committee's policy this year of not recommending personnel increases. Recommend approval of \$358,949.

700 PARK AND RECREATION: The Finance Committee recommends a reduction in the Salaries Line Item due to a reduction in the number of playground staff from 10 to 7. It also recommends disapproval at this time of the basketball court reconstruction at Haskell Field. Recommend approval of \$226,628.

701 ATKINSON POOL: Since the Atkinson Pool operates under an Enterprise Fund and is intended to be self-supporting, recommend approval of \$306,800.

710 YOUTH COMMISSION: We believe that many of the proposed services represent duplicate efforts with a number of existing town programs and departments. The Finance Committee believes that the Youth Commission should be funded as a clearing house and sponsor for educational programs conducted by other organizations. Recommend approval of \$1,600.

715 SUDBURY 350TH ANNIVERSARY CELEBRATION COMMITTEE: In light of significant cuts that have been made to several town budgets, including the school systems, police and highway, the Finance Committee does not find it possible to recommend money into the anniversary fund this year. It recommends the solicitation of funds, as has already begun, from local businesses and the continuation of efforts at fundraising by ongoing sales of memorabilia.

800 BOARD OF HEALTH: Decrease of \$4,235 reflects elimination of funding of studies and surveys and a decrease in line item for extra hire. The remaining decrease of \$235 brings into conformity the actual mental health cost. Recommend approval of \$304,556.

900 VETERANS: Recommend approval of \$5,251.

950 UNCLASSIFIED: The recommended budget of \$2,156,075 represents a 6.7% increase over FY88. Although there has been a decrease in the estimated cost of property and liability insurance, health insurance costs are projected to rise approximately 15 percent over last year. Likewise, a change in federal regulations requiring the Town to make increased FICA payments for town employees hired after April 1, 1986 has resulted in a \$16,000 increase in the FICA/Medicare account. In an attempt to further reduce the Unclassified budget, we are recommending against funding a \$25,235 hydrant rental fee from the Sudbury Water District. We would prefer to see that cost borne by the Water District rather than the Town. Recommend approval of \$2,156,075.

ARTICLE 6. UNPAID BILLS

To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money for the payment of certain unpaid bills incurred in previous fiscal years or which may be legally unenforceable due to the insufficiency of the appropriation in the years in which such bills were incurred; or act on anything relative thereto.

Submitted by the Town Accountant.

(Four-fifths vote required.)

TOWN ACCOUNTANT REPORT: Invoices that are submitted for payment after the accounts are closed at the end of a fiscal year or payables for which there are insufficient funds (and which were not submitted for a Reserve Fund transfer) can only be paid by a vote of the Town Meeting, a Special Act of the Legislature, or a court judgment.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

ARTICLE 7. STABILIZATION FUND

To see what sum the Town will vote to raise and appropriate, or appropriate from available funds, to be added to the Stabilization Fund established under Article 12 of the October 7, 1982 Special Town Meeting, pursuant to Massachusetts General Laws Chapter 40, Section 5B; or act on anything relative thereto.

Submitted by the Finance Committee.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

ARTICLE 8. STREET ACCEPTANCES

To see if the Town will vote to accept the layout of any one or more of the following ways:

BECKWITH STREET	From Pelham Island Road to a dead end, a distance of 973 feet, more or less;
GUZZLE BROOK DRIVE	From Beckwith Street to a dead end, a distance of 895 feet, more or less;
HAWES ROAD	From Dakin Road to a dead end, a distance of 1,007 feet, more or less;
MAYNARD FARM CIRCLE	From Maynard Farm Road to a dead end, a distance of 671 feet, more or less;
MAYNARD FARM ROAD	From the southwesterly terminus of the 1980 Town layout of Maynard Farm Road to Powers Road, a distance of 1,102 feet, more or less;

TANTAMOUSE TRAIL

From Hawes Road to a dead end,
a distance of 1,035 feet, more or less;

as laid out by the Board of Selectmen in accordance with the descriptions and plans on file in the Town Clerk's Office; to authorize the acquisition by purchase, by gift or by a taking by eminent domain, in fee simple, of the property shown on said plans; and to raise and appropriate, or appropriate from available funds, \$500, or any other sum, therefor and all expenses in connection therewith; or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Two-thirds vote required.)

BOARD OF SELECTMEN REPORT: This article is the result of the recommendations of the Highway Surveyor and the Town Engineer as to roads which meet legal requirements for acceptance. The Selectmen have, at a previous public hearing, voted the layout of these roads. If the above streets are voted and accepted by the Town Meeting as public ways, all future maintenance and repair will be done by the Town. The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

ARTICLE 9.METROWEST AND M.A.G.I.C. PLANNING FUNDS

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$10,000, or any other sum, to be expended under the direction of the Board of Selectmen, as follows: \$5,000 for support of the MetroWest Growth Management Committee regional planning activities, and \$5,000 for support of the Minuteman Advisory Group for Interlocal Coordination (M.A.G.I.C.) planning activities; or act on anything relative thereto.

Submitted by the Board of Selectmen.

BOARD OF SELECTMEN REPORT: The funds requested in this article continue our share of the cost to maintain regional planning activities. The two groups to be funded will address such important issues as land use, transportation, affordable housing, and solid waste disposal. The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

ARTICLE 10.POLICE PAID DETAIL ACCOUNT

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$15,000, or any other sum, to be added to the Police Paid Detail Account; or act on anything relative thereto.

Submitted by the Board of Selectmen.

BOARD OF SELECTMEN REPORT: It is the Town's practice to pay police officers for private paid detail work immediately, as worked. The outside party for whom the detail was worked then reimburses the Town. Therefore, it becomes necessary to initially fund this account to pay details prior to its replenishment by the vendors. The Board and Police Chief support this article.

FINANCE COMMITTEE REPORT: This account permits policemen assigned to private details to be paid pending receipt of reimbursement from the individual or business contracting for the detail. Prices charged for private details are set so as to ensure that there is no net cost to the Town. We are willing to approve \$10,000 this year, but would like to see the policy changed to require payment for detail work in advance, thus making the account unnecessary in the future. Recommend approval of \$10,000.

ARTICLE 11. CODIFY TOWN BYLAWS

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$10,000, or any other sum, to be expended under the direction of the Town Clerk, to retain a consultant for the purpose of codifying the Town's Bylaws and Rules and Regulations and providing a format for future changes thereto, and to supplement the code, in the format established with the amendments thereto; or act on anything relative thereto.

Submitted by the Town Clerk and the Board of Selectmen.

TOWN CLERK REPORT: It has been twenty years since the Town's Bylaws have been professionally edited and reviewed. Over these many years, the Town's Zoning Bylaw has been substantially amended and the general Bylaws have increased in number and also have been amended immeasurably. This article will provide a complete editing and review of all the Bylaws for the purpose of eliminating any conflicts and inconsistencies that may exist between local bylaws and State laws. A carefully reorganized version of the Bylaws will be provided, without changing the effect or intent of any of the laws therein. Historical and cross references will be included throughout, as will the Rules and Regulations for each board and committee where applicable. The project, which will take one year to complete, has the support of Town Counsel.

BOARD OF SELECTMEN: The Board supports this article.

FINANCE COMMITTEE REPORT: While there is reason to consider having the bylaws edited and reviewed after a number of years, and keeping in mind the general and zoning bylaw changes that have occurred, we do not consider it a high priority for funding this year. Recommend disapproval.

ARTICLE 12. PURCHASE VOTING EQUIPMENT

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$37,000, or any other sum, to be expended under the direction of the Town Clerk, for the purchase of optical scan voting equipment; or act on anything relative thereto.

Submitted by the Town Clerk.

TOWN CLERK REPORT: The purchase of this equipment will provide the voters of this Town with an easy-to-use voter-actuated ballot tabulating system. The optical scanning equipment counts each vote, stores the information in the memory pack, updates and totals and directs the ballot to the proper ballot box in less than one second. At the close of the polls an alpha-numeric printout is presented with the office titles, candidate names and their respective vote

totals, along with precinct totals in a matter of minutes. Candidates names, issues and write-in positions are clearly printed on the ballot. A voter simply completes the arrow pointing to his/her choice and inserts the ballot in the Optech III-P unit. The system is efficient, fast, easy to use, easy to service and reportedly most reliable.

The present Town-owned Automatic Voting Machines were purchased over the past twenty years, refurbished, not new. There remains just one vendor who services the AVM's and provides the supplies; all others have left the market. The machines, although still useable and efficient, are fast becoming "white elephants" as maintenance and parts are very costly. Locating technicians to program the machines for each election is fast becoming an additional problem.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: We recognize that as the existing automatic voting machines get older, some increased maintenance is to be expected, and that the sources for programming and maintaining the machines are fewer. However, the present machines are still in good working order, and seem satisfactory for the needs of a town our size at present. In addition, the proposed OpTech machines are relatively new in Massachusetts, and we would prefer to postpone the decision to purchase them until we can better determine their success in other towns. Recommend disapproval.

ARTICLE 13. NIXON SCHOOL ROOF

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$125,000, or any other sum, to be expended under the direction of the Permanent Building Committee, for the purpose of making extraordinary repairs to and/or reconstructing the Nixon School roof, or portions thereof, and all expenses connected therewith, including professional, engineering, and architectural services including plans, specifications, bidding documents, and supervision of work; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the Permanent Building Committee. (Two-thirds vote required if bonded.)

PERMANENT BUILDING COMMITTEE REPORT: In 1981 the Permanent Building Committee hired an engineering firm to investigate various school roofs and to develop a 5-year Roof Maintenance Program. The final report under this program indicated that the Nixon School roof would require replacement in 1983. In November of 1983 the Permanent Building Committee hired a consultant to take test cuts of the roof that indicated an additional three years could be obtained with minor repair work.

The Town has successfully extended the life of the Nixon School roof an additional three years without major repairs. With 13 leaks requiring repair over the last year, combined with the fact that the original roof is almost 28 years old, it is now time to prepare plans and specifications for the complete replacement of the flat portion of the roof in 1988, before damage to the structure is evident.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval of \$125,000. A balance of \$71,995 remains from the Noyes Roof project, which can be applied toward this roof at Nixon, for a net cost during FY89 of \$53,005. Recommend approval of \$125,000.

ARTICLE 14. SCHOOL EQUIPMENT AND FACILITIES

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$600,000, or any other sum, to be expended under the direction of Sudbury School Committee, for the purpose of making extraordinary repairs to and/or remodeling, and purchasing additional equipment for, the Curtis Middle School, the Haynes Elementary School, the Noyes School and the Nixon Administrative Building, including facility repairs, furniture replacement and building improvements, and all expenses connected therewith, including professional, engineering and architectural services including preparation of plans, specifications and bidding documents, and supervision of work; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the School Committee. (Two-thirds vote required if bonded.)

SCHOOL COMMITTEE REPORT: Each year, during budget preparation, the School Department Maintenance Director submits a schedule of maintenance projects which need attention during the upcoming school year. Traditionally, some projects and the associated costs are approved while others are postponed. The result of this process is that there is now an accumulation of projects that must be addressed in the near future which will cost the Town approximately \$600,000. In November 1986 the School Department Director of Administrative Services and the Maintenance Director submitted a five-year Capital Improvement Program that included major facility improvements as well as the improvement projects included in this article; this was for information purposes, but it provided the foundation for the list of projects requested here.

The buildings in use in the Sudbury School System are a minimum of twenty-seven years old. They are by no means in a state of ruin; as a matter of fact, compared to many school buildings, the Sudbury buildings have been cared for with superior attention and it shows. The fact remains, though, that items such as doors, windows, heating systems, floors and other parts of the building must be maintained and the way to do it is through a concentrated effort to continue our standards and address the problems we face.

The request being made in this article in no way conflicts with the plan of the Sudbury School Committee to increase the classroom capacity of the School System. Under some instances, the items requested here may be reimbursable from the Commonwealth of Massachusetts depending on the final disposition of the School Expansion Plan.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee believes that the school's expansion and building plans need to be acted upon before this article can be considered. The school's expansion plan duplicates many of the items in this article. Recommend disapproval.

ARTICLE 15. SURFACE DRAINS

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$100,000, or any other sum, to be expended under the direction of Highway Surveyor, for construction and re-construction of surface drains as follows:

Bowker V:	open ditch drainage cleaning east & west of Willis Road;
Emerson Way:	at the intersection of Morse Road;
French Road:	west of Old Garrison Road;
Goodman's Hill Road:	general upgrading of existing drainage between Nashoba Road and Brewster Road;
Hilltop Road:	at the intersection of Morse Road;
Meadow Road:	at the intersection of Pheasant Avenue;
Raymond Road:	between Route 20 and Feeley Park;
Ronald Road:	intersection of Hudson Road;
Wagonwheel Road:	west of Landham Road;

or act on anything relative thereto.

Submitted by Highway Surveyor.

HIGHWAY SURVEYOR REPORT: In Fiscal 1988, the Highway Department re-established the Drainage Program originally abolished by Proposition 2½. As a result of this program we corrected several hazardous conditions during the last construction season, and are planning to complete the remaining projects this spring.

We feel that this Drainage Program is beneficial to the Town and are requesting to continue this program in Fiscal 1989. Throughout the Town there still exists a number of serious drainage conditions which need to be corrected.

The drainage construction, designed by the Sudbury Engineering Department, will be constructed by Highway Department personnel and equipment, or by contract services.

By constructing and re-constructing surface drains, troublesome drainage situations and hazardous roadway conditions can be remedied as outlined in our Master Drain Plan.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval of \$50,000.

ARTICLE 16. DESIGN FUNDS - SHERMAN'S BRIDGE

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$20,000, or any other sum, to be expended under the direction of Highway Surveyor, as the Town's share of the design costs for reconstructing or replacing Sherman's Bridge on Lincoln Road over the Sudbury River and all expenses connected therewith, including professional, engineering, and architectural services including preparation of plans, specifications, and bidding documents, said costs to be shared equally by the Towns of Sudbury and Wayland; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by Highway Surveyor.

(Two-thirds vote required if bonded.)

HIGHWAY SURVEYOR'S REPORT: Funds requested in this article will be used for the design of a new or rehabilitation of the existing bridge over the Sudbury River. Since the bridge is jointly owned by Wayland, they are requesting matching funds at their annual town meeting.

Reimbursement for the design money is anticipated under Chapter 90 Funds provided by the State Department of Public Works.

Once the design is completed, it is our understanding that the bridge will qualify for 100% reimbursement for the construction costs.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

ARTICLE 17. RENOVA TE TENNIS COURTS - FEELEY PARK

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$82,000, or any other sum, to be expended under the direction of the Park and Recreation Commission, for the renovation of the Town-owned tennis courts, located on the land known as "Frank Feeley Park" off Raymond Road which is shown on Town Property Maps K08 (parcel L08-012) and L08 (parcel 012); or act on anything relative thereto.

Submitted by Park and Recreation Commission.

PARK AND RECREATION COMMISSION REPORT: As an integral part of Frank Feeley Park, these heavily used tennis courts have served Sudbury residents well beyond their life expectancy. The playing surface must be rebuilt and resurfaced as a major portion of the renovation if the six courts are to be useable in the future.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Although the Reconstruction of the Feeley Park tennis courts has been requested for a number of years and is consistent with the Finance Committee's policy of maintaining existing assets, funding this year would require additional budget cuts in departments which rate considerably higher on the Finance Committee's list of funding priorities. Finance Committee recommends disapproval.

ARTICLE 18. CARDING MILL POND LAND ACQUISITION

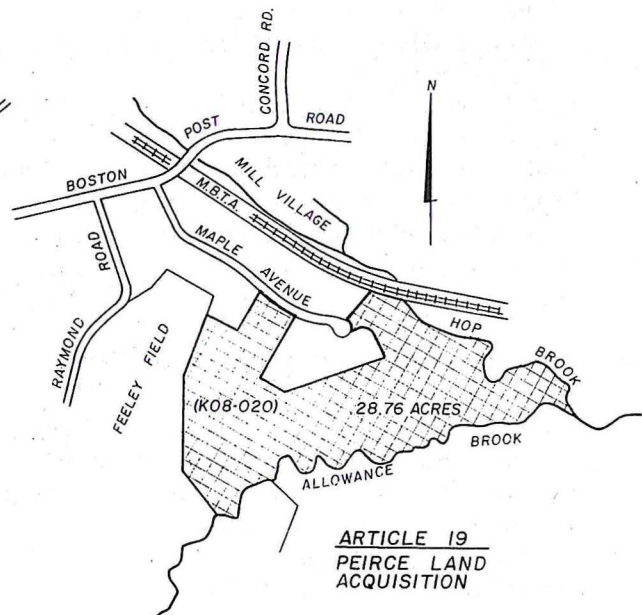
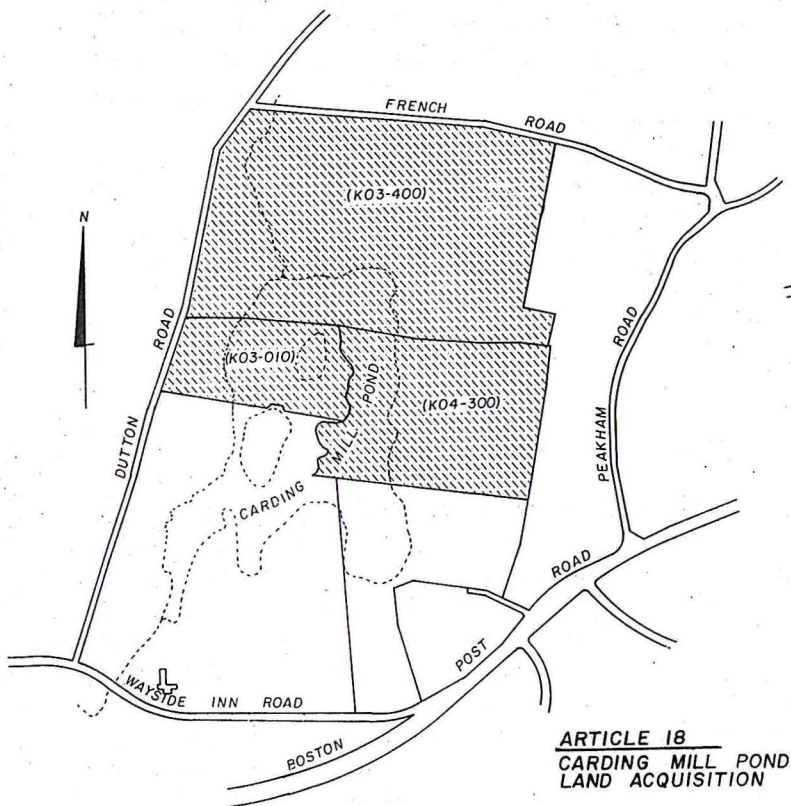
To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$6,020,000, or any other sum, to be expended under the direction of the Conservation Commission, for the purchase of the MacNeill property located between Dutton and Peakham Roads, consisting of approximately 105 acres, designated as Parcels K-03-400, K-03-010 and a portion of Parcel K-04-300 on the Town Property Maps, and shown on the conceptual plan dated August 19, 1987 and drawn by Beals and Thomas for Northland Development Corporation; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the Conservation Commission. (Two-thirds vote required if bonded.)

CONSERVATION COMMISSION REPORT: The Carding Mill Pond on Dutton Road has long been a scenic landmark in town. The pond, together with the surrounding fields provide aesthetic open space reminiscent of a part of Sudbury's past. The parcel contains the historic Carding Mill, and the pond is part of Hop Brook, a valuable water resource. Permanent protection of these areas will ensure the integrity of this historic section of town while aiding in the protection of several town wells.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.



ARTICLE 19. PEIRCE LAND ACQUISITION

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$490,000, or any other sum, to be expended under the direction of the Conservation Commission, for the purchase of 28.76 acres of land, more or less, located to the rear of 55 Maple Avenue, presently owned by Peirce Rose, Inc., and shown as Parcel 020 on Town Property Map K-08; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by Conservation Commission. (Two-thirds vote required if bonded.)

CONSERVATION COMMISSION REPORT: Acquisition of the Peirce Rose land at the end of Maple Avenue will provide additional protection for the Town's primary well fields located less than one-half mile downstream. The site is bordered by town Park and Recreation land, town Conservation land and land protected by the Sudbury Valley Trustees and contains diverse wildlife habitat. Town ownership will eliminate future development and protect against impacts to our water supply and Route 20 congestion from the development of this site.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

ARTICLE 20. HOP BROOK BRIDGE CONSTRUCTION

To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$15,000, or any other sum, to be expended under the direction of the Conservation Commission, for the construction of a bridge over Hop Brook in the Haynes Meadow Conservation Land, and all expenses connected therewith, including professional, engineering and architectural services including preparation of plans, specifications and bidding documents, and supervision of work; or act on anything relative thereto.

Submitted by the Conservation Commission.

CONSERVATION COMMISSION REPORT: The funds to construct a bridge over Hop Brook in the Haynes Meadow Conservation Land northerly section adjacent to the Water District property are being requested to allow safe access throughout the parcel and to link the existing area trail systems. Currently, Hop Brook flows through the center of the parcel and the only access to both portions of the parcel is over a fallen tree. The Commission and the Town's former insurance carrier have determined that crossing over a fallen tree could result in serious injury. Middle School children use the trail system in this area extensively and in all kinds of weather. For safety reasons, we are proposing to construct a structurally engineered bridge with safety railings to facilitate easy and safe public access to the entire site.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: Recommend Disapproval. Other maintenance projects retain higher priority.

ARTICLE 21. (Withdrawn)

ARTICLE 22. WALKWAYS

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$129,332, or any other sum, for the planning, engineering and construction of walkways, such funds to be expended in the following manner:

1. Construction funds as necessary to be expended under the direction of the Highway Surveyor, for walkways (approximately 4,571 feet) along the following roads:
 - a. Goodman's Hill Road from the northwesterly corner of Parcel Number 401 as shown on Town Property Map H09 to Green Hill Road; and
 - b. Fairbank Road from Phillips Road to Maynard Road;
- 2) Planning and engineering funds as necessary to be expended under the direction of the Planning Board, through the office of the Town Engineer, for a walkway along the following roads:
 - a. Old Lancaster Road from Peakham Road to Hudson Road; and
 - b. Mossman Road from Farm Lane to Marlboro Road;

or act on anything relative thereto.

Submitted by the Planning Board.

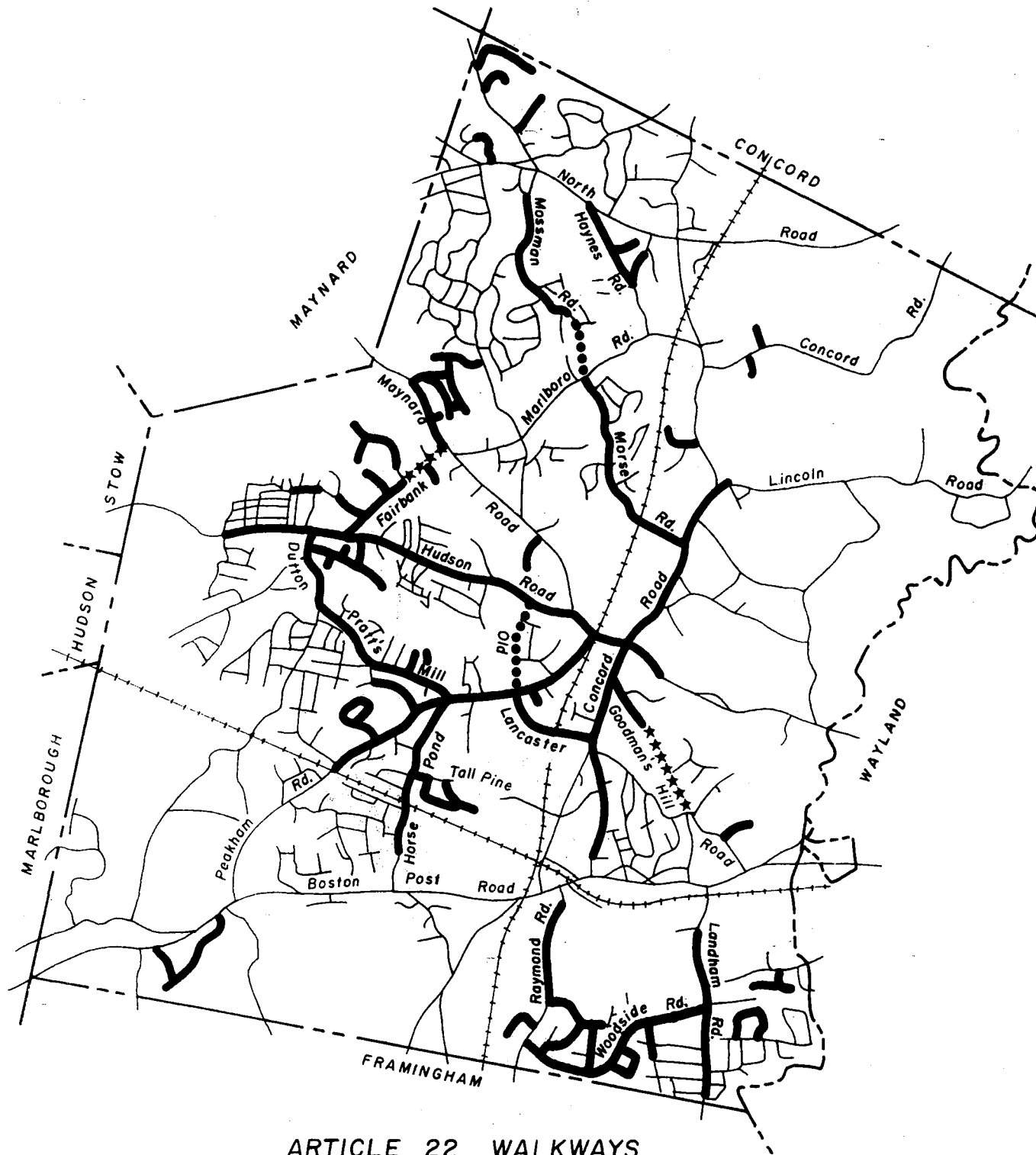
PLANNING BOARD REPORT: This walkway article provides for flexibility in funding for walkway planning, engineering and construction. This flexibility is provided by authorizing in a single article funds for:

1. Construction of walkways which have been funded for planning and engineering at prior Town Meetings; and
2. Planning and engineering of proposed walkways.

This article calls for expending funds, so authorized, on a priority basis, and allows for the completion of lower priority items in the event of delays with respect to higher priorities. The Planning Board and the Walkway Subcommittee of the Planning Board feel this article provides funds which can be used to plan and build walkways based on a flexible time schedule and in conformity with the Walkway Master Plan.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee recommends reduced walkway allocation of \$93,160 eliminating Fairbank construction this year because of budgetary constraints and inability of the Town to obtain all necessary easements.



ARTICLE 23. TRANSFER LAND FOR SENIOR CITIZEN CENTER

To see if the Town will vote to transfer the custody and control of a portion of the land located off Concord Road as shown on Town Property Map K08 as Parcel 33, said portion containing between one and two acres, to the Board of Selectmen for the purpose of erecting a Senior Citizen Center; or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Two-thirds vote required.)

BOARD OF SELECTMEN REPORT: This article allows Town Meeting to decide whether or not to build a Senior Citizen Center on town property abutting the library parking lot.

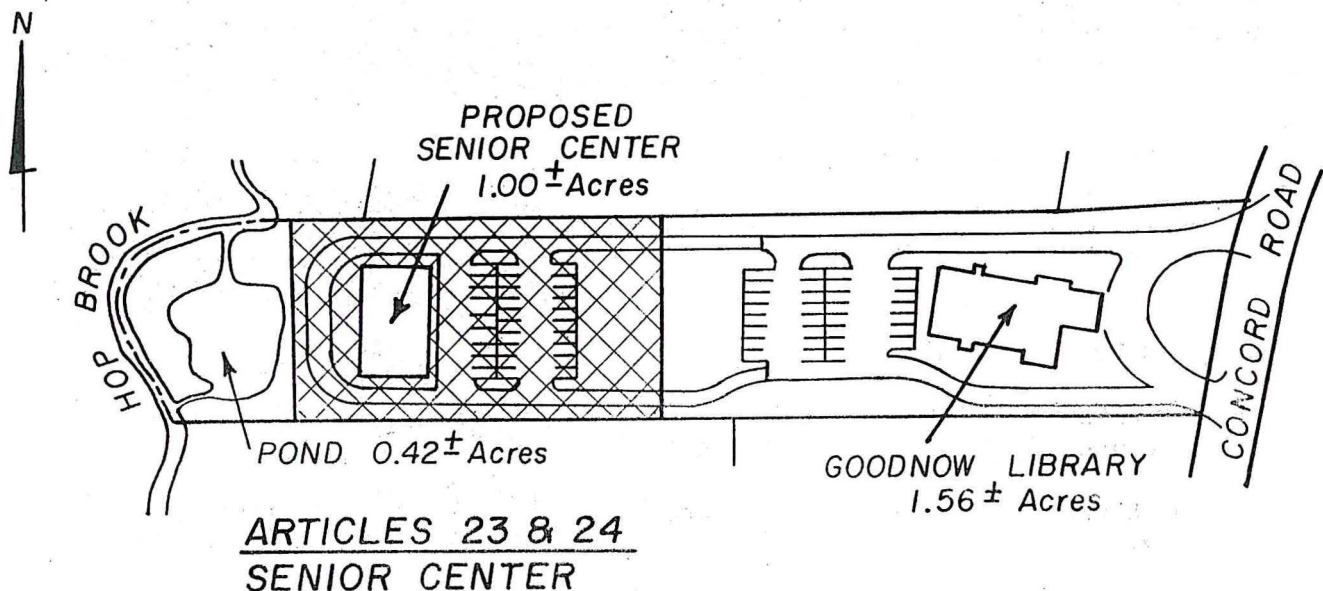
The 1987 Town Meeting approved Article 15 in the amount of \$10,000 for a planning and design study for such a center. The study is now underway. The Selectmen have met with the Council on Aging, the Library Trustees and the Town Engineer on various occasions, to look into the feasibility of using part of the parcel for this purpose.

John Goodnow's will states that "the Town" may use the land for "the purpose of erecting thereon a suitable building for a Library, ... and whatever portion of said land shall not be needed for the purposes of said Library Building, the said Town of Sudbury shall have full power and authority to apply to other Town purposes, but without any power of alienation." That means Town Meeting voters must decide the question of using this location for a Senior Center.

Provided here is a rough sketch drawn by the Town Engineer showing the approximate portion of the acreage proposed to be used for the Senior Center. The exact area is subject to design specifications being prepared by the architect retained to design the preliminary plans.

The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.



ARTICLE 24. CONSTRUCT SENIOR CITIZEN CENTER

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$1,000,000, or any other sum, to be expended under the direction of the Permanent Building Committee, for the purpose of constructing and furnishing a Senior Citizen Center, and all expenses connected therewith, including professional, engineering and architectural services including preparation of plans, specifications and bidding documents, and supervision of work; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the Council on Aging. (Two-thirds vote required if bonded.)

COUNCIL ON AGING REPORT: The Sudbury Council on Aging currently serves almost 1400 senior citizens. There are in addition 1700 persons in the 50-60 age group. Our current facility is woefully inadequate. The proposed location adjacent to the Goodnow Library enhances the entire concept by its proximity to the downtown area, security, ease of access, and attractive southern exposure. The staff, programs, and transportation to function ideally in a new 10,000 square foot facility are already in place. The Council has spent over two years identifying the needs of our citizens as well as evaluating existing facilities in comparable surrounding towns. We expect that the proposed building will be able to serve our needs well into the 21st century.

The majority of the citizens are long-time residents who have contributed mightily to the success of this town through taxes and deeds. We feel strongly that our current tax dollars as well as theirs be expended to make this town attractive to young and old alike.

BOARD OF SELECTMEN POSITION: The Board supports this article. The Board also supports exempting from the provisions of Proposition 2½ the amounts required to pay for the bond issue to fund this article; (see Ballot Question No. 1 for the March 28, 1988 Annual Town Election at the beginning of this warrant).

FINANCE COMMITTEE REPORT: The Finance Committee supports this Article provided the debt service on the proposed bonding for the facility is exempted from the provisions of Proposition 2½ by vote of the Town at a general election. The Finance Committee will report further at Town Meeting.

ARTICLE 25. USE OF FREE CASH

To see what sum the Town will authorize the Assessors to use from Free Cash in the determination of the Fiscal Year 1989 tax rate; or act on anything relative thereto.

Submitted by the Board of Selectmen.

BOARD OF SELECTMEN REPORT: This article will be used, if necessary, to authorize use of Free Cash as an offset to the entire tax levy.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting, if necessary.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

ARTICLE 26.TRANSFER LAND OFF FAIRBANK ROAD, HORSE POND ROAD AND PINE STREET TO SELECTMEN FOR PURPOSE OF SALE TO SUDBURY HOUSING AUTHORITY

To see if the Town will vote to transfer from the control of the Selectmen to the Selectmen for the purpose of sale to the Sudbury Housing Authority for the construction of family housing, the following described parcels of land:

A portion of the land adjacent to the former Fairbank School containing approximately five to six acres, being a portion of the entire site shown as Parcel 001 on Town Property Map F06, for the construction of no more than four duplexes, and

A portion of the land adjacent to the Massachusetts Firefighting Academy containing approximately one to two acres exclusive of the playfield area, being a portion of the entire site shown as Parcel 036 on Town Property Map K06, for the construction of no more than one duplex, and

The land on Pine Street containing approximately .90 acres, shown as Parcels 277 and 278 on Town Property Map H04, for the construction of no more than one duplex;

or act on anything relative thereto.

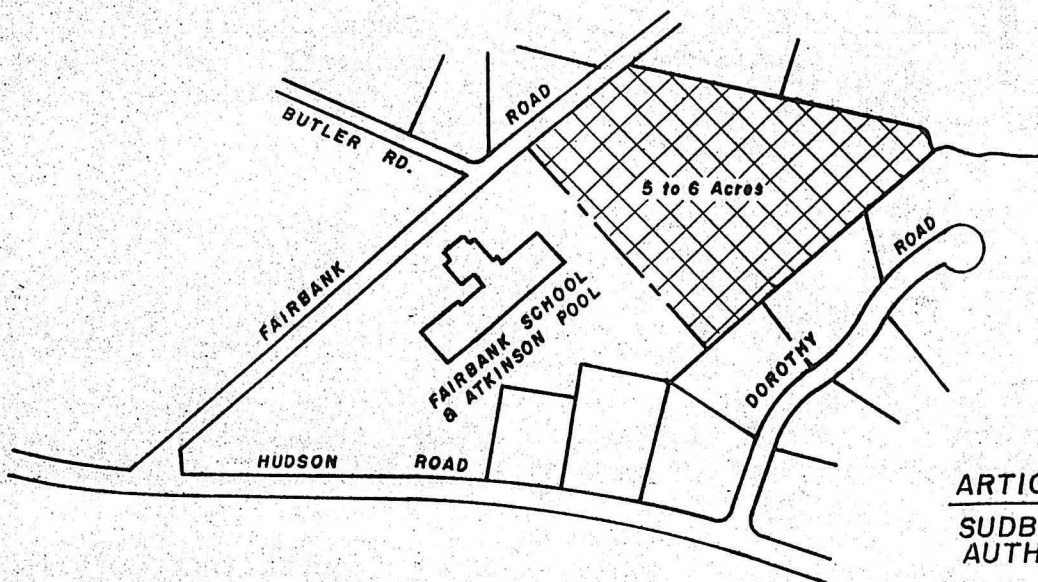
Submitted by Sudbury Housing Authority.

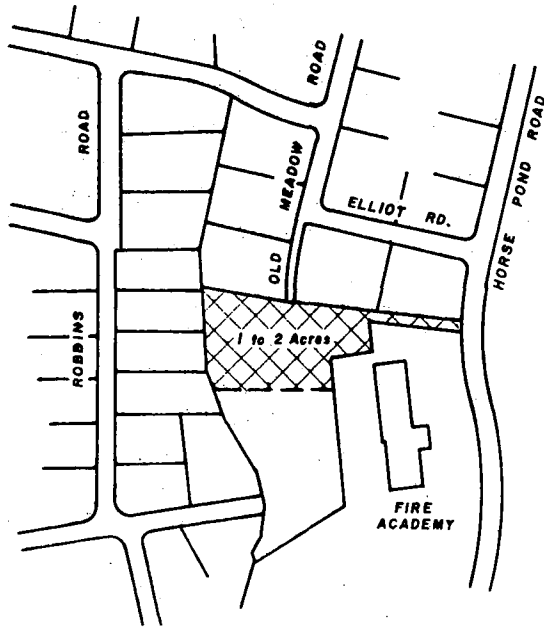
(Two-thirds vote required.)

SUDBURY HOUSING AUTHORITY REPORT: See report under Article 29.

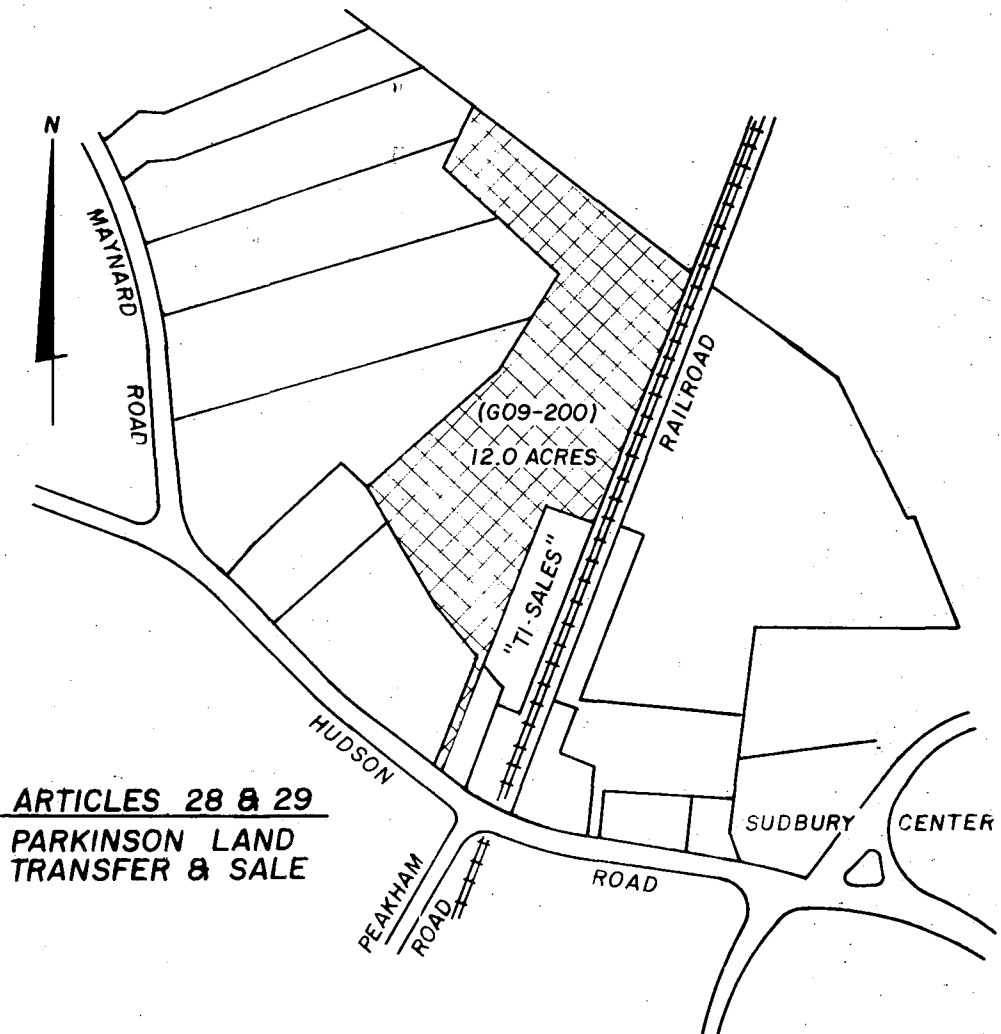
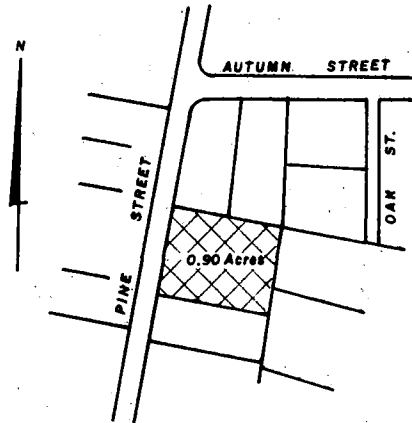
BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.





ARTICLES 26 & 27
SUDBURY HOUSING
AUTHORITY



ARTICLES 28 & 29
PARKINSON LAND
TRANSFER & SALE

ARTICLE 27. AUTHORIZE SALE OF LAND OFF FAIRBANK ROAD, HORSE POND ROAD AND PINE STREET TO SUDBURY HOUSING AUTHORITY

To see if the Town will vote to authorize the Selectmen, acting on behalf of the inhabitants of the Town of Sudbury, to execute a deed or deeds conveying in fee simple the following described land to the Sudbury Housing Authority for the purpose of constructing family housing, for a sum of no less than \$1.00 and upon such other terms as the Selectmen shall consider proper:

A portion of the land adjacent to the former Fairbank School containing approximately five to six acres, being a portion of the entire site shown as Parcel 001 on Town Property Map F06, for the construction of no more than four duplexes, and

A portion of the land adjacent to the Massachusetts Firefighting Academy containing approximately one to two acres exclusive of the playfield area, being a portion of the entire site shown as Parcel 036 on Town Property Map K06, for the construction of no more than one duplex, and

The land on Pine Street containing approximately .90 acres, shown as Parcels 277 and 278 on Town Property Map H04, for the construction of no more than one duplex;

or act on anything relative thereto.

Submitted by Sudbury Housing Authority. (Two-thirds vote required.)

SUDBURY HOUSING AUTHORITY REPORT: See report under Article 29.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

ARTICLE 28. TRANSFER LAND OFF HUDSON ROAD TO SELECTMEN FOR PURPOSE OF SALE TO SUDBURY HOUSING AUTHORITY

To see if the Town will vote to transfer from the control of the Selectmen to the Selectmen for the purpose of sale to the Sudbury Housing Authority for the construction of mixed-income housing, the following described parcel of land:

The Parkinson land off Hudson Road and adjacent to Ti-Sales containing twelve acres, shown as Parcel 200 on Town Property Map G09;

or act on anything relative thereto.

Submitted by Sudbury Housing Authority. (Two-thirds vote required.)

SUDBURY HOUSING AUTHORITY REPORT: See report under Article 29.

BOARD OF SELECTMEN REPORT: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

ARTICLE 29. AUTHORIZE SALE OF LAND OFF HUDSON ROAD TO SUDBURY HOUSING AUTHORITY

To see if the Town will vote to authorize the Selectmen, acting on behalf of the inhabitants of the Town of Sudbury, to execute a deed conveying in fee simple the following described land to the Sudbury Housing Authority for the purpose of constructing mixed-income housing, for a sum of no less than \$1.00 and upon such other terms as the Selectmen shall consider proper:

The Parkinson land off Hudson Road and adjacent to Ti-Sales containing twelve acres, shown as Parcel 200 on Town Property Map G09;

or act on anything relative thereto.

Submitted by Sudbury Housing Authority.

(Two-thirds vote required.)

SUDBURY HOUSING AUTHORITY REPORT - ARTICLES 26-29: In recognition of the need for affordable family housing, as evidenced by a 10-15 year wait for current applicants, the Sudbury Housing Authority requests the transfer of town-owned land for the purpose of building twelve units, in the form of six duplexes, under the state's family housing program. They would be owned by the Housing Authority, constructed with state funding, and rented to families from our waiting list of 70, up from last April's list of 50 families in need of housing.

In 1986 the Housing Authority hired a consulting firm to help with site selection and the two sites chosen were not given by the Town due to a very narrow defeat at last year's Town Meeting. Since that time, we have undertaken a new site selection process and have encouraged all interested town residents to participate. All assumptions made prior to last year's Town Meeting regarding what constitutes a good site have been examined and all publicly-owned land has been evaluated. In addition, all land-holding town boards were asked to inventory their land with respect to excess parcels which may be available for housing and private landowners were contacted whom the Housing Authority thought might be interested in contributing to the provision of affordable housing. All available land was walked by interested residents over several weekends and public comment was solicited on all sites in four open meetings prior to final site selection. As a result of these efforts it was found that sites at school properties had to be eliminated because the school department is in the process of doing a long-term needs study and cannot declare property as excess until the study's completion. Also, some sites were eliminated due to the Conservation Commission's concerns regarding wetlands, and others were considered less desirable because they required long access roads or were too close to existing parking lots. Based on the information obtained in more than a year of study, we offer these articles to the Town for consideration.

While all twelve rental units could have been placed at the Fairbank site, we propose to place four duplexes at Fairbank with one additional duplex at Old Meadow and one more at Pine Street. This plan responds to the desire expressed by many residents for a decrease in the density of units from last year's proposal, and as much scattering of the housing as possible.

An entirely separate project would be considered for the Parkinson land, to be constructed under the Massachusetts Homeownership Program (MHOP). This site is not well-suited to Housing Authority-owned family units alone because of its

geographical isolation from an existing neighborhood and long access road. However, it would be very suitable for a mixed-income homeownership program, with some units sold at market value, others sold at affordable levels to moderate income families, and some sold to the Housing Authority for subsidized rental to low-income families. The Town, through a Homeownership Committee, would formulate its own plan for the parcel with regard to the type of housing and number of units desired, and proposals responsive to this plan would be solicited from developers interested in working with the Town in such a partnership. In all cases there will be no monetary costs to the Town as the state will absorb the costs of development and maintenance of publicly-owned housing. The Town will control all development of these parcels through its Housing Authority and Homeownership Committee.

These proposals reflect the Sudbury Housing Authority's dual commitment to preservation of the diverse character of the Town while beginning to address the Commonwealth's goal of 10% of each community's housing stock as affordable. Other long-term avenues of approach toward this commitment include working with the Planning Board in formulating accessory apartment and inclusionary zoning bylaws.

It should be noted that some discretionary state funds may be contingent upon the Town of Sudbury continuing to provide affordable housing. Failure to do so could jeopardize open space and recreation funds, conservation land grants, technical assistance grants, sewer and water system grants, elderly housing grants, and others.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: While we approve of the intended use of this land by the Housing Authority, the Authority's plan for the site is still highly preliminary. Moreover, the final plan is likely to call for a pattern of land use not currently found in Sudbury. We would prefer to delay the actual sale of the land until this plan can be put before the Town in a reasonably complete form and considered on its merits. Recommend disapproval or indefinite postponement.

ARTICLE 30. AMEND BYLAWS, ART. III, 2 - TOWN REPORT

To see if the Town will vote to amend Article III, Section 2, of the Town of Sudbury Bylaws by deleting said section in its entirety (paragraphs 1 and 2) and substituting therefor the following:

"Section 2. ANNUAL TOWN REPORT. All Town boards, committees, commissions and officials, whether appointed or elected, shall make written report in detail of their activities during the preceding calendar year and of all financial transactions during the preceding financial year, which report shall be delivered to the Board of Selectmen at a date specified by the Selectmen. The Selectmen shall cause all such reports, as well as any other reports or data as the laws of the Commonwealth, bylaws of the Town, or the Selectmen require, to be printed in an Annual Town Report. Sufficient copies shall be printed for public distribution at the Town Hall and/or Public Library and made available to the citizens of the Town at least ten days before the Annual Meeting.";

or act on anything relative thereto.

Submitted by the Board of Selectmen and Town Report Committee.

BOARD OF SELECTMEN AND TOWN REPORT COMMITTEE REPORT: The present Bylaw now reads as follows:

"Section 2. All Town Boards and officials, whether appointed or elected and all committees having had any financial transactions during the preceding financial year, shall make a written report in detail, which report shall be delivered to the Accountant on or before December 1st. The Accountant shall audit these reports and deliver them to the Selectmen not later than January 10th.

The Selectmen shall cause all such reports, as well as reports of any other Board or Committees, to be printed in pamphlet form. Receipt of the pamphlets shall be scheduled for a date which will permit the Town Clerk to have them in the hands of the citizens of the Town at least ten days before the Annual Meeting."

Although the present wording does not necessarily require delivery of the Town Report to each household, it has been the practice of the Town to actually deliver or mail a copy to each residence. It is proposed to discontinue such distribution and to clarify the bylaws accordingly. Town Reports would, however, be made available at various locations in the Town and at Town Meeting for those who desire a copy. For those persons unable to pick up a copy, a copy will be mailed upon request. By following this procedure, at last year's costs, we estimate a savings of \$2,500 in mailing and printing costs. We find that a great number of towns have for some time now stopped delivery of town reports to keep costs at a minimum. It is the Selectmen's contention that Town Meeting should decide such a change in policy as suggested by this article.

This Bylaw is further amended for clarity and the requirement of the Town Accountant auditing each department's financial report is eliminated.

The Board of Selectmen recommends approval of this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 31. TRANSFER PARK & RECREATION PARCEL 111, WILLIS LAKE DRIVE,
TO SELECTMEN FOR PURPOSE OF SALE

To see if the Town will vote to transfer from the control of the Park and Recreation Commission to the Board of Selectmen for the purpose of sale, the following described land:

Land on Willis Lake Drive shown as Parcel 111 on Town Property Map F05 and containing .17 acres according to said map;

or act on anything relative thereto.

Submitted by the Park and Recreation Commission. (Two-thirds vote required.)

PARK AND RECREATION COMMISSION REPORT: This small, unbuildable lot is not part of the Commission's long-range plan for development of recreational facilities.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

ARTICLE 32. AUTHORIZE SALE OF PARCEL #111, WILLIS LAKE DRIVE,
TO ABUTTER

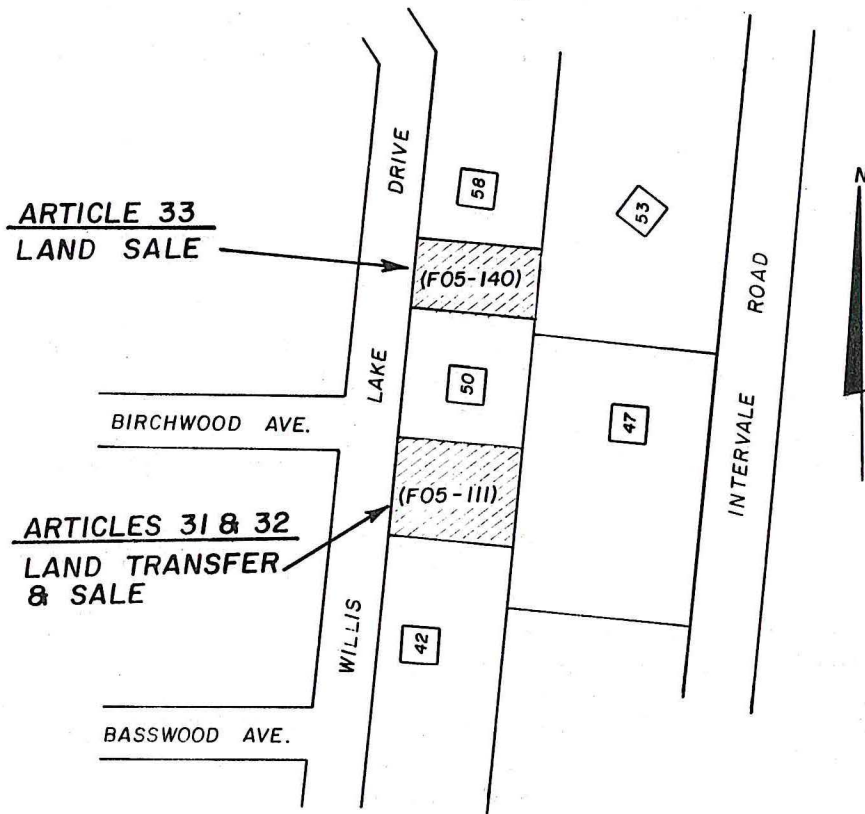
To see if the Town will vote to authorize and empower the Board of Selectmen to sell and convey, upon such terms and conditions as it deems necessary or desirable, land in Sudbury off Willis Lake Drive, shown as Parcel 111 on Town Property Map F05 and containing .17 acres according to said map, at private sale to a direct abutter, and to determine the minimum amount to be paid therefor; or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Two-thirds vote required.)

BOARD OF SELECTMEN REPORT: Several abutters have expressed interest in acquiring and maintaining Parcel 111 which has been exsessed by the Park and Recreation Commission. The former tax possession parcel contains remains of an old basketball court, but has not been maintained as a recreational area for many years. Therefore, the Board seeks authorization to sell the parcel to a direct abutter so that the parcel might be maintained. The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.



ARTICLE 33. AUTHORIZE SALE OF PARCEL 140, WILLIS LAKE DRIVE,
 TO ABUTTER

To see if the Town will vote to authorize and empower the Board of Selectmen to sell and convey, upon such terms and conditions as it deems necessary or desirable, land in Sudbury off Willis Lake Drive, shown as Parcel 140 on Town Property Map F05 and containing .11 acres according to said map, at private sale to a direct abutter, and to determine the minimum amount to be paid therefor; or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Two-thirds vote required.)

BOARD OF SELECTMEN REPORT: At the 1987 Annual Town Meeting, under a petition article (Article 30), voters authorized the transfer of a .11 acre tax possession parcel, shown as Parcel 140 on Town Property Map F05, to the Selectmen for the purpose of sale to a direct abutter. However, subsequently under Article 32, voters failed to authorize the sale of this and two other parcels. The Board of Selectmen has ascertained that a direct abutter is interested in purchasing this parcel and therefore has placed it on the warrant for the required authorization. The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

ARTICLE 34. AMEND BYLAWS, ART. I,1 - EFFECTIVE DATE OF ELECTION

To see if the Town will vote to amend Article I of the Town of Sudbury Bylaws by adding to section 1 thereof the following sentences:

"Those elected at the Annual Town Election, with the exception of the Town Clerk and the Moderator, shall take office at the close of the Annual Town Meeting. The Town Clerk shall take office seven days after election. The Moderator shall take office on the day after election, or as soon thereafter as qualified.";

or act on anything relative thereto.

Submitted by Town Meeting Procedures Committee.

TOWN MEETING PROCEDURES COMMITTEE: This article and the seven which follow are the result of the Committee's review of town bylaws related to Town Meeting procedures. The purpose of the amendments is to ensure that the warrant report received by voters reflects, as nearly as possible, the business to be undertaken at Town Meeting, and to answer the concerns which have been expressed about the length of Town Meeting, the lateness of sessions, and the procedures which contribute to these problems.

This amendment delays the installation of those elected at the Annual Election until the close of Annual Town Meeting. Under present law, newly elected officials are called upon to discuss matters and defend or oppose positions when they have been in office for little more than a week. We feel that the voters at Town Meeting would be better served if this were done by the officials who had taken part in the deliberations and voted on the matters at hand. New members of the Finance Committee take office after the close of Annual Town Meeting and it would make sense for elected officials to do so as well. The Town Clerk and Moderator are exceptions because their terms of office are mandated by state law.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 35. AMEND BYLAWS, ART. I,2 - TIME OF TOWN MEETING

To see if the Town will vote to amend Article I of the Town of Sudbury Bylaws by deleting therefrom Section 2 and substituting therefor the following:

"Section 2. The Annual Business Meeting shall begin on the first Saturday after the first Monday in April at such place as the Selectmen shall determine. The Saturday session of the meeting shall begin at 10:00 A.M. and shall continue until completion of the article under discussion at 4:00 P.M. and shall be adjourned, if necessary, to 7:30 P.M. on the following Monday (legal holidays excluded). The Monday session and any other weekday sessions shall begin at 7:30 P.M. and shall continue until completion of the article under discussion at 10:30 P.M. unless otherwise voted by two-thirds of those present and voting; except that any such meeting shall be adjourned before the designated time if a quorum shall be declared to have been lost, or if a quorum has not assembled thirty minutes after the designated starting time.";

or act on anything relative thereto.

Submitted by Town Meeting Procedures Committee.

TOWN MEETING PROCEDURES COMMITTEE REPORT: The Committee's charge was to review the current procedures and recommend changes which, it was hoped, would increase participation, make Town Meeting more interesting and meaningful and expedite the process without thwarting voters rights or sacrificing the democratic process.

The Committee reviewed the dates in relation to school vacations and holidays. It also considered moving the election and Town Meeting; however, because we are in the Regional School District, that election must be the same date in both towns. It did not seem reasonable to have two separate elections or try to move that date. An earlier date for Town Meeting posed the potential problem of winter weather and a later spring date might have greater interference from outdoor spring activities. After careful consideration, the Committee's recommendation was to stay within the current time frame. However, that time frame poses problems such as we experienced last year, when there was a two week hiatus between sessions because of religious holidays and school vacations.

To give us guidance in our recommendations, a questionnaire was published in the Town Crier which elicited comments such as "can't get babysitters on weekdays", "too long", "too late", "interferes with job and business travel", "don't like to drive at night". We also contacted several area towns which have addressed these problems recently; the recommendations they implemented and the results provided useful background in our study.

The result of our meeting and study has led to a recommendation that Town Meeting be held on the first Saturday following the first Monday in April, from 10:00 A.M. to 4:00 P.M. The work of several sessions would be accomplished in this one session in a shorter period of time, the repetitious openings each night would be eliminated and voters would not be making important decisions late at night. With the majority of the warrant being completed in one session, a momentum would be provided to finish sooner. If the business were not finished in this one session, Town Meeting would adjourn to Monday night at 7:30 P.M. to conclude.

This schedule would attract a greater cross section of participants (the baby-sitter problem would be reduced, older residents and others who do not drive at night would be able to attend, people do not generally travel for business on the weekend). While the schedule would allow for increased participation it would not require a greater commitment. In fact, voters would only have to commit to one day, or some portion of it, and perhaps an additional night. This is in contrast to six or seven nights extended over several weeks.

The one thing that seems to be almost unanimous is that voters want to preserve Open Town Meeting but recognize that the process is long and cumbersome and, for many people, participation is difficult. An earlier start will rush some people and Saturday will not be the ideal choice for others; but after careful review and consideration this proposal appears to be the best option available to accommodate the greatest number of voters. We hope you will support our recommendation.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 36. AMEND BYLAWS, ART. II,1, WARRANT CLOSING DATES;
ARTICLE III,10, WARRANT REPORT; AND ARTICLE I,4, NOTICE
OF MEETINGS

To see if the Town will vote to amend the Town of Sudbury Bylaws by deleting Section 1 of Article II and substituting therefor the following:

"Section 1. The Warrant for each Annual Town Meeting shall be closed December 31 in each year. No article, including articles consisting of resolutions, shall be taken up at Town Meeting unless it appears in the printed warrant. Except as hereinafter specified, the warrant for any Special Town Meeting shall be closed at least twenty-five days prior to the scheduled date of the meeting; provided further that there shall be at least ten days between the call of any Special Town Meeting and the closing of the warrant therefor. This section shall not apply to any Special Town Meeting held for the purpose of considering the approval or disapproval of an amount of debt authorized by a Regional District School Committee, in accordance with General Laws, Chapter 71, Section 16 (d), or held for an emergency purpose.";

By deleting Section 10 from Article III, placing the said section in Article I immediately after Section 2, and rewording the said section to read as follows:

"Section 3. The Selectmen shall cause a Warrant Report to be printed and distributed to the citizens of the Town at least seven days prior to commencement of the Annual Town Meeting and fourteen days prior to commencement of a Special Town Meeting. The Warrant Report will contain a copy of the articles as set forth in the official warrant, a summary of the intent and scope of each article prepared by the submitter, the report and recommendations of the Finance Committee, reports by other Town officials, boards or committees having an interest in a specific article, and supporting data such as maps and charts. The individual or group submitting information shall meet requirements for timing, format and brevity established by the Selectmen.";

And by renumbering and rewording Section 3 of Article I to read as follows:

"Section 4. Notice of every Town Meeting shall be given by posting a printed attested copy of the warrant therefor at the Town Hall at least seven days before the Annual Meeting and at least fourteen days before any Special Town Meeting.";

or act on anything relative thereto.

Submitted by Town Meeting Procedures Committee.

TOWN MEETING PROCEDURES COMMITTEE REPORT: The purpose of the three amendments contained in this article is to make it easier for boards, committees, town officials and petitioners to follow the procedures which are required in the preparation of the warrant, thus ensuring that the document which reaches the voters contains the information needed to understand and participate in the debate at the meeting.

The first amendment designates December 31 as the date by which all articles including resolutions must be submitted for Annual Town Meeting. Presently, certain articles, such as bylaw changes and town property transfers, must be submitted by December 1. This change would give the officials responsible for these articles more time for preparation. However, it also stipulates that unless an article or resolution is submitted in a timely fashion and printed in the warrant, it will not be taken up. In the case of a Special Town Meeting, the warrant closing is changed from the present minimum of 34 days to a minimum of 25 days prior to the date of the meeting. State law allows a maximum 45 days to elapse between the receipt of a petition for a Special Town Meeting and the date of the meeting. This amendment would allow some flexibility in the opening and closing of the warrant within this time frame.

Under present bylaws, the Selectmen distribute the warrant report for a special town meeting, but the Town Clerk sends the notice of the meeting. The second amendment in this group places the responsibility for distribution of the warrant, which serves as a notice of the meeting, with the Selectmen where it rightly belongs.

State law requires that the warrant for all meetings be posted. Presently the Selectmen's Office is required to post at least three copies in each precinct for a minimum of twelve copies. Since the warrant is mailed to each household, this is unnecessary. The third amendment provides for one copy to be posted at Town Hall where notices of meetings are usually placed.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 37. AMEND BYLAWS, ART. II,8 - RESOLUTIONS

To see if the Town will vote to amend Article II of the Town of Sudbury Bylaws by adding to Section 8 thereof the following sentence:

"Articles consisting of resolutions shall be considered after action has been taken on all other articles.";

or act on anything relative thereto.

Submitted By Town Meeting Procedures Committee.

TOWN MEETING PROCEDURES COMMITTEE REPORT: Town Meeting is the only forum for discussing some issues of concern to all residents or, in some cases to a particular group of citizens. Over the years, resolutions have alerted the Town to important issues and, in many cases, have resulted in the formation of a committee or study, with positive results. Since a resolution is sometimes the only avenue for information of this nature to be presented, we would not like to see it eliminated. To keep this exchange open and facilitate the business of Town Meeting, it is recommended resolutions be taken up after action has been taken on all other articles.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 38. AMEND BYLAWS, ART. II,11 - LENGTH OF SPEECHES

To see if the Town will vote to amend Article II of the Town of Sudbury Bylaws by deleting Section 11 thereof and substituting therefor the following:

"Section 11. No person shall speak more than once upon any question, except to correct an error or answer a question; until all others who have not spoken upon the question and desire to do so shall have had an opportunity. The initial presentation by the proponent(s) of an article may not exceed fifteen minutes in length and no other speech may exceed five minutes in length unless consent is given by a majority of those present and voting.";

or act on anything relative thereto.

Submitted by Town Meeting Procedures Committee.

TOWN MEETING PROCEDURES COMMITTEE REPORT: The purpose of this article is to improve the exchange of ideas on town meeting floor by enabling everyone to contribute and share with the Town their views on a particular issue. Under

the present bylaw no one may speak more than twice upon a question until all others have had an opportunity to speak and any speech may be as long as fifteen minutes. By limiting follow-up speeches to five minutes and allowing for everyone to be heard before individuals get a second turn, this article will, it is hoped, improve the quality of debate and eliminate the "lawyers' forum", thought by many town residents to be slowing down the proceedings. If needed, a speaker may still receive additional time with the consent of the hall.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 39. AMEND BYLAWS, ART. II, 13 - RECONSIDERATION

To see if the Town will vote to amend Article II of the Town of Sudbury Bylaws by deleting Section 13 thereof and substituting therefor the following:

"Section 13. A motion to reconsider a matter previously acted upon at the same session shall require an affirmative vote of two-thirds of those voters present and voting. A motion to reconsider a matter after adjournment of the session at which it was acted upon shall require a unanimous vote of those present and voting unless written notice of an intention to move reconsideration of the matter, signed by fifty voters who attended that session is given to the Town Clerk on or before noon of the next weekday (legal holidays excluded) following the session at which the matter for which reconsideration is sought was acted upon. The Town Clerk shall publish notice of such intention by advertisement or by posting in his office or elsewhere in the Town Hall. The Moderator shall at the start of the next session announce the matter on which reconsideration is sought and shall further announce that the motion for reconsideration shall be the first order of business at the next succeeding session of the Town Meeting unless all business is completed prior to 10:30 P.M. of the same session, in which case the motion for reconsideration shall be the last item of business that evening. When the matter to be reconsidered comes before the meeting, the Moderator shall recognize for the motion the person who gave notice to the Town Clerk, unless he shall defer to another. All discussion on the motion must be confined exclusively to the merits or demerits of reconsideration. Passage of a motion to reconsider shall require an affirmative vote of two-thirds of those present and voting. If notice of reconsideration is given on more than one matter, they shall be taken up in the order in which they were submitted to the Town Clerk.";

or act on anything relative thereto.

Submitted by Town Meeting Procedures Committee.

TOWN MEETING PROCEDURES COMMITTEE REPORT: The purpose of this article is to discourage reconsideration. At present, reconsideration can be brought by just one voter. The recent history of Town Meeting shows that in every case of reconsideration, the action was brought by persons on the losing side who hoped

to reverse the action of Town Meeting by packing the hall. In almost every case the move for reconsideration failed, the net result being a loss of considerable time. By making it more difficult to petition for reconsideration, it is hoped that this action will be limited to cases in which important shortcomings occurred, as perceived by a significant fraction of the voters present during the debate, thus expediting the business of Town Meeting and preventing its manipulation.

Printed below is current Section 13, Article II, for further information:

"Section 13. A motion to reconsider a matter previously acted upon at the same session shall require an affirmative vote of two-thirds of those voters present and voting. A motion to reconsider a matter after adjournment of the session at which it was acted upon shall require a unanimous vote of those present and voting unless a voter gives written notice to the Town Clerk of an intention to move reconsideration of the matter on or before noon of the next weekday (legal holidays excluded) following the session at which the matter for which reconsideration is sought was acted upon. The Town Clerk shall publish notice of such intention by advertisement or by posting in his office or elsewhere in the Town Hall. The Moderator shall at the start of the next session announce the matter on which reconsideration is sought and shall further announce that the motion for reconsideration shall be the first order of business at the next succeeding session of the Town Meeting unless all business is completed prior to 11:00 P.M. of the same session, in which case the motion for reconsideration shall be the last item of business that evening. When the matter to be reconsidered comes before the meeting, the Moderator shall recognize for the motion the person who gave notice to the Town Clerk, unless he shall defer to another. All discussion on the motion must be confined exclusively to the merits or demerits of reconsideration. Passage of a motion to reconsider shall require an affirmative vote of two-thirds of those voters present and voting. If notice of reconsideration is given on more than one matter, they shall be taken up in the order in which they were submitted to the Town Clerk."

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 40. AMEND BYLAWS, ART. II, 15 - LEGAL ERRORS

To see if the Town will vote to amend Article II of the Town of Sudbury Bylaws by adding thereto a new Section 15 to read as follows:

"Section 15. If a legal error in an action of the Town Meeting, attested to by the Town Counsel, is discovered, the Moderator shall, when presented with such error, recognize the Town Counsel for the purpose of identifying the error and explaining its effect. Following the explanation of the Town Counsel, the Moderator shall request a motion by the Board of Selectmen to correct the error. Such motion shall be non-debatable, shall not be subject to the rules of reconsideration and shall require a simple majority unless otherwise mandated.";

or act on anything relative thereto.

Submitted by Town Meeting Procedures Committee.

TOWN MEETING PROCEDURES COMMITTEE REPORT: On occasion, articles are passed which contain subtle illegal sections. For example, the 1987 Annual Town Meeting passed an amendment to a motion which later was ruled by Town Counsel to be beyond the "four corners of the article" and hence illegal. While there may be a difference of opinion among lawyers as to the legality of a particular item, it would seem to be the wiser policy to automatically reconsider any article that the Town Counsel rules illegal rather than wait for the Attorney General to rule so, or to waste time debating the illegality.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 41. AMEND BYLAWS, ART. II, 16 - ACCOUNTING ERRORS

To see if the Town will vote to amend Article II of the Town of Sudbury Bylaws by adding thereto a new Section 16 to read as follows:

"Section 16. If the Town Accountant, or in his absence, the Assistant Town Accountant, discovers that information presented to the Town Meeting contains an accounting error, he shall request to be recognized for the purpose of identifying the error and explaining its effect. The Moderator shall recognize the Town Accountant for such purpose. Following the explanation, the Moderator shall request a motion by the Board of Selectmen to correct the error. Such motion shall be non-debatable, shall not be subject to the rules of reconsideration and shall require a simple majority unless otherwise mandated. Any voter or Town official who discovers such an accounting error shall notify the Town Accountant, who, if he concurs, shall proceed as described above.";

or act on anything relative thereto.

Submitted by Town Meeting Procedures Committee.

TOWN MEETING PROCEDURES COMMITTEE REPORT: On rare occasions articles are passed which either contain arithmetic errors or were based on some incorrect tabulation (such as the amount of free cash available). If the error is detected, the article should be reconsidered in the light of the correct information. Since correct arithmetic has only one answer, there is no point in either debating the reconsideration or subjecting it to the standard procedure.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 42. AMEND BYLAWS, ART. V, 25 - STORAGE OF INFLAMMABLE FLUIDS

To see if the Town will vote to amend the Town of Sudbury Bylaws, Article V, by deleting therefrom Section 25, Storage of Inflammable Fluids, in its entirety and substituting therefor the following:

"Section 25. Storage of Inflammable Fluids

Applications for a license under M.G.L. c. 148, §13, for the storage of petroleum products or any articles named in section 9 of said Chapter shall be accompanied by an application fee determined from time to time by the Board of Selectmen to cover the cost of the publication and mailing of notice for the public hearing on the application. In addition, the following fees shall apply to such license:

License	\$100.00
Annual Registration	\$25.00

The Fire Chief shall issue permits for such storage in accordance with the regulations and requirements of the Board of Fire Prevention Regulations.";

or act on anything relative thereto.

Submitted by the Board of Selectmen and the Fire Chief.

BOARD OF SELECTMEN AND FIRE CHIEF REPORT: The intent of this bylaw change is to increase the license fee and the annual registration fee for licenses granted under MGL Chapter 148, Section 13, and to bring the bylaw into conformance with state regulations governing underground storage of inflammable products.

The increase in license and annual registration fees is to collect in revenue fees that more accurately reflect the costs to the town in granting these licenses. The changes in content of the bylaw are due to changes in state regulations. The Town was previously ahead of the state in regulating underground storage tanks and leaks associated with tanks, however, in the past two years the state regulations have become stricter than the Town's, necessitating this change. The state regulation referred to is 527 CMR 9.00 in its entirety. By voting this article you will not be increasing or decreasing underground storage regulations but rather bringing the bylaw into conformance with the state regulations which prevail. The Board of Selectmen and Fire Chief support this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 43. AMEND BYLAWS, ART. V, PUBLIC SAFETY - PENALTIES

To see if the Town will vote to amend Article V of the Town of Sudbury Bylaws by making the following changes to the following sections:

Section 1: Add the following paragraph:

"Violation of this section shall be subject to a penalty of \$50. Each day during which a violation exists shall be deemed to be a separate violation.";

Section 2: Delete the last sentence and insert the following:

"Violation of this section shall be subject to a penalty of \$50. Each day during which a violation exists shall be deemed to be a separate violation.";

Section 4: Add the following sentence:

"Violation of this section shall be subject to a penalty of \$50. Each day during which a violation exists shall be deemed to be a separate violation.";

Section 5: Delete the present section and insert the following:

"No person shall pasture or tether any animal in any street in the Town in such manner as to obstruct the streets or sidewalks. Violation of this section shall be subject to a penalty of \$50.";

Section 6: Delete the present section and insert the following:

"No person shall pasture any animal upon any street or way in the Town, with or without a keeper, except within the limits of such way adjoining his own premises and on the same side of the street therewith. Violation of this section shall be subject to a penalty of \$50.";

Section 8: Delete the last sentence and insert the following:

"Violation of this section shall be subject to a penalty of \$50.";

Section 9: Delete the last sentence and insert the following:

"Violation of this section shall be subject to a penalty of \$50.";

Section 10: Delete the last sentence and insert the following:

"Violation of this section shall be subject to a penalty of \$50. Each day during which a violation exists shall be deemed to be a separate violation.";

Section 15: Add the following sentence:

"Violation of this section shall be subject to a penalty of \$50. Each day during which a violation exists shall be deemed to be a separate violation.";

Section 16: Add the following sentence:

"Violation of this section shall be subject to a penalty of \$50. Each day during which a violation exists shall be deemed to be a separate violation.";

Section 17: Add the following sentence:

"Violation of this section shall be subject to a penalty of \$50. Each day during which a violation exists shall be deemed to be a separate violation.";

Section 18: Delete the last sentence and insert the the following:

"Violation of this section shall be subject to a penalty of \$50 per day for every day such person is in violation of such notice, commencing with the fourth day after the receipt of such notice.";

Section 19: Add the following sentence:

"Violation of this section shall be subject to a penalty of \$50. Each day during which a violation exists shall be deemed to be a separate violation.";

Section 20: Delete the last sentence and insert the following:

"Violations of this section shall be subject to a penalty of \$50. All alcoholic beverages being used in violation of this bylaw shall be seized and safely held until final disposition of the violation, at which time they shall be returned to the person entitled to lawful possession.";

Section 21: Add the following sentence:

"Violation of this section shall be subject to a penalty of \$50.";

Section 23: Add the following sentence:

"Violation of this section shall be subject to a penalty of \$50.";

Section 28: Delete subsection (c) and insert the following:

"(c) Violation of this section shall be subject to a penalty of \$50. Each day during which a violation exists shall be deemed to be a separate violation.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

BOARD OF SELECTMEN REPORT: At the April 6, 1987 Special Town Meeting, the Town voted to amend the Town Bylaws to provide for non-criminal disposition of violations of the Bylaws and rules and regulations of Town boards or departments.

The section of the General Laws authorizing non-criminal disposition contains the condition that the bylaw or regulation must state a specific penalty for its violation. Currently, most of the penalty provisions in the Bylaws contain a penalty range and not a specific amount. This article and the following three articles establish specific penalties and will enhance the enforcement of the Bylaws through the imposition of a civil penalty rather than criminal proceedings in court. The Board supports this article.

FINANCE COMMITTEE: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 44. AMEND BYLAW, ART. V(B), BURGLAR ALARMS - DESIGNATE PENALTY

To see if the Town will vote to amend Section 5.B.(2) of Article V(B) of the Town of Sudbury Bylaws by deleting therefrom the last sentence and inserting in its place the following:

"The reasonable costs and expense of abating a disturbance in accordance with this section may be assessed to the alarm user. In addition to reasonable costs and expenses, the alarm user shall be subject to a penalty of \$50.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

BOARD OF SELECTMEN REPORT: See report under Article 43.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 45. AMEND ZONING BYLAW, ART. IX,V,L, SPECIAL REGULATIONS
UNREGISTERED MOTOR VEHICLES - ESTABLISH PENALTY

To see if the Town will vote to amend Section V.L. of Article IX of the Town of Sudbury Bylaws, the Zoning Bylaw, by adding thereto the following sentence:

"Violation of this subsection shall be subject to a penalty of \$50.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Two-thirds vote required.)

BOARD OF SELECTMEN REPORT: See report under Article 43.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

PLANNING BOARD REPORT: The Planning Board supports Article 45 establishing a penalty for exposed storage of unregistered vehicles.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 46. AMEND ZONING BYLAW, ART. IX, VI, D, ADMINISTRATION - PENALTY

To see if the Town will vote to amend Section VI of Article IX of the Town of Sudbury Bylaws, the Zoning Bylaw, by deleting therefrom subsection D and substituting therefor the following:

"D. PENALTY.

Violation of any provision of this bylaw, not otherwise provided for herein, shall be subject to a penalty of \$50. Each day during which a violation exists shall be deemed to be a separate violation.";

or act on anything relative thereto.

Submitted by the Board of Selectmen. (Two-thirds vote required.)

BOARD OF SELECTMEN REPORT: See report under Article 43.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

PLANNING BOARD REPORT: The Planning Board supports Article 46 amending the Zoning Bylaw by establishing a penalty of \$50 per day for violation of provisions of the bylaw.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 47. AMEND BYLAWS ART. V, 14, PUBLIC SAFETY, CONDUCT
IN PUBLIC AREAS - ENFORCEMENT PROCEDURE

To see if the Town will vote to amend Section 14 of Article V of the Town of Sudbury Bylaws by deleting therefrom subsections (b) and (c) and substituting therefor the following:

"(b) Violation of this section shall be subject to a penalty of \$50.

(c) Any police officer may arrest without a warrant any person who commits a willful violation of this section, and keep such person in custody until he can be taken before a court having jurisdiction of the offense.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

BOARD OF SELECTMEN REPORT: This article amends the current Section 14 to provide a specific penalty for violation and to allow non-criminal enforcement. The amendment to subsection (c) enables a police officer to arrest a willful violator, whether or not the violator is unknown to the officer, and is in accordance with a recent amendment to section 59 of Chapter 272 of the General Laws, which authorizes such arrests. The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 48. AMEND BYLAWS, ART. V, 7, OPEN BURNING/LITTERING

To see if the Town will vote to amend Article V of the Town of Sudbury Bylaws by deleting therefrom Section 7 in its entirety and substituting therefor the following:

"Section 7. Open Burning

No person shall burn or cause to be burned, material of any kind within or on any public or private property, including but not limited to public or private ways, except in accordance with a permit issued by the Sudbury Fire Department. Violation of this section shall be subject to a penalty of \$25.";

or act on anything relative thereto.

Submitted by Selectmen and Fire Chief.

BOARD OF SELECTMEN AND FIRE CHIEF REPORT: The purpose of this bylaw change is to bring the bylaw into conformance with the Commonwealth of Massachusetts Open Burning Law, also known as 310 CMR 7.00 and MGL Chapter 48 Section 13, and to provide for a non-criminal penalty as provided in Article VI, Section 3 of the bylaws.

Passage of this article will enable the Fire Department to enforce the open burning laws without having to summons violators to court for criminal proceedings and should help to reduce the number of open burning complaints received by the department.

At the same time, this article deletes the following provision: "No person shall place or cause to be placed in any public way or square, any rubbish, dirt, wood, timber or other material to obstruct or mar the appearance of said way or square." This bylaw is no longer necessary, because the subject of such dumping is adequately covered under Mass. General Laws Chapter 270, section 16. Please see related Article 49 in this Warrant which provides for non-criminal prosecution of violators of s.16 by the Town's Health Director. The Board of Selectmen and Fire Chief support this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 49. DESIGNATE ENFORCEMENT AGENT - LITTER LAWS

To see if the Town will vote to designate the Town's Director of Public Health as an enforcing officer in accordance with the provisions of section 16 of Chapter 270 of the Massachusetts General Laws; or act on anything relative thereto.

Submitted by the Board of Selectmen.

BOARD OF SELECTMEN REPORT: Mass. General Laws Chapter 270, section 16, specifies violations and penalties relative to littering and also provides for the designation of a town's public health director as an enforcing officer upon approval by town meeting. We believe such designation by the Town is advisable to combat our litter problem. The Health Director will provide manpower, in addition to the Town's Police Officers who are automatically enforcing agents under the law, to police and enforce litter control. He will be able to assist in enforcement procedures either by instituting criminal proceedings, or as an alternative provided by Ch. 270, s.16A, by disposing of violations under a non-criminal method. Because the Health Director is most often the first agent to encounter, and must deal with, litter or dumping problems, it is practical that this "on-the-spot" agent be given enforcing powers. The Police Department, Board of Health, and the Board of Selectmen recommend approval.

FINANCE COMMITTEE REPORT: Recommend approval.

ARTICLE 50. SPECIAL ACT: APPOINT TREASURER/COLLECTOR

To see if the Town will vote to approve the petition set forth herein providing for the appointment of the combined office of a Town Treasurer and Collector and authorize and request the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact the special legislation set forth in said petition and without further submission to a Town Meeting:

"The Commonwealth of Massachusetts

In the year one thousand nine hundred and eighty-eight.

An Act authorizing the Selectmen of the Town of Sudbury to appoint a Town Treasurer and Collector of said Town.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by authority of the same, as follows:

Section 1. Notwithstanding the provisions of section one of chapter forty-one of the General Laws, the Board of Selectmen of the Town of Sudbury shall appoint a suitably qualified person to the office of Town Treasurer and Collector of said Town, and upon the appointment and qualification of the person initially so appointed the term of the incumbents of said offices shall terminate, but in no case shall said terms of office of said incumbents terminate before the next annual election at which said offices are normally filled following the passage of this Act. The Town Treasurer and Collector so appointed shall have all the powers, perform the duties and be subject to the liabilities and penalties now or hereafter conferred or imposed by law on town treasurers and collectors of taxes. The term of initial appointment shall expire on April 30 of the third year following appointment, and thereafter the Town Treasurer and Collector shall serve for a term of three years and until his successor is appointed and qualified. He may be removed for cause at a public hearing by the Selectmen and the vacancy filled by appointment for the remainder of the expired term in the same manner as in the case of an original appointment. The salary or compensation shall be such as the Selectmen may vote from time to time. Said Board shall fill any vacancy in such office

by appointing a qualified successor for the remainder of any unexpired term. The position or office of Town Treasurer and Collector shall not be subject to the laws and rules pertaining to Civil Service.

Section 2. In the event that either or both the present Town Treasurer or Collector of Taxes shall resign, be permanently disabled or otherwise be unable to perform the duties of their offices before the provisions of section one of this Act shall become operative, then the Board of Selectmen of said Town may implement any and all the provisions of this Act as may be necessary to continue the orderly administration of these offices.

Section 3. The present Town Treasurer may be appointed or reappointed to Town Treasurer and Collector.

Section 4. This Act shall take effect upon its passage.";

or act on anything relative thereto.

Submitted by the Board of Selectmen.

BOARD OF SELECTMEN REPORT: The Board of Selectmen has submitted this article for the purpose of combining the offices of the Tax Collector and Town Treasurer into one appointive position, as the current Tax Collector has stated she will be retiring. If this article passes, in the future this position will be appointed by the Board of Selectmen, and it is the Board's intention that the first appointee in the new position will be the current Town Treasurer.

This article has the support of the current Treasurer and Tax Collector.

The complexities of town government have changed drastically during the past ten years. We can no longer take a chance on the electoral process to elect qualified and competent persons to fill the offices of Collector of Taxes and Treasurer. The Finance Committee in 1971 stated it best, "Since these jobs require a high degree of specialized knowledge, we do not believe that the procedure of electing them is appropriate. We feel that the process of election should be reserved for officials who are primarily concerned with the policy of Town government and that appointments should be made where specific skills are required." We strongly urge your approval.

FINANCE COMMITTEE REPORT: Articles to combine the offices of the Treasurer and Tax Collector, and/or to make it an appointed as opposed to an elected position, have been proposed several times in the past. The Finance Committee has always supported this idea, and continues to do so. This is the first time that both the incumbent treasurer and tax collector have supported the article which helps to indicate the changes that have taken place in Town that make approval necessary. We are fortunate that we presently have qualified people in these offices, but the elective process cannot be counted on to always produce the best candidate in a position that requires specific technical skills. Combining the offices will also produce long-term efficiencies for the Town in two offices with closely related functions. We strongly support approval of the article, and appointment of the current Town Treasurer as the first appointee.

ARTICLE 51. ESTABLISH TRAFFIC MANAGEMENT COMMITTEE

To see if the Town will vote to establish a permanent Traffic Management Committee (TMC), as described herein, to study and monitor traffic and related issues; to develop, recommend, and assist in implementing traffic management plans; and to make recommendations to the appropriate Town committees regarding traffic and traffic-related issues.

Appointment of TMC Membership:

The TMC shall have five members with three members appointed by the Board of Selectmen and two members by the Planning Board. The initial appointees of the Board of Selectmen shall have terms of one, two and three years, respectively; initial appointees of the Planning Board shall have terms of two and three years, respectively. All five initial appointments shall commence with the termination of the Route 20 Task Force. The TMC shall elect a chairman and vice-chairman from its members. All subsequent appointments shall be for a term of three years. Upon expiration of a TMC member's term of office, his or her successor shall be appointed by the same board that appointed the member whose term has expired. Members may be reappointed if the appointing board so chooses.

Associate Members:

The TMC may appoint up to two associate members, who shall be non-voting members. Terms of associate members shall be one year. Duties of associate members shall be assigned by the TMC. Upon expiration of their terms, associate members may be reappointed as associates or appointed to the TMC by the Planning Board or Selectmen, as applicable, to fill a vacancy on the TMC.

TMC responsibilities shall be as follows:

1. Continue the town-wide traffic circulation study begun by the Route 20 Task Force.
2. Advise and formulate programs for traffic management and for Sudbury to include, but not be limited to:
 - A) Review projected changes in traffic patterns and roadways caused by town local and regional development proposals and alterations to existing sites; and forward, in writing, its findings and recommendations to the appropriate Town boards;
 - B) Recommend to appropriate Town boards and committees short and long-range strategies and programs for traffic management and traffic related issues, such issues to include issues reported upon and discussed in October, 1986 Report of Route 20 Task Force and HMM report for Route 20 and Town Wide Program.
3. Review site plans and subdivision plans and make recommendations thereon to the Board of Selectmen and Planning Board, respectively.

4. Implement the Route 20 and Town Wide Traffic Study and traffic management plans, and programs and strategies developed thereafter in cooperation with the Town Engineer and Town Highway Department and consult, advise and assist the Selectmen and Planning Board in connection with the implementation of both short and long-term strategies.

Or act on anything relative thereto.

Submitted by the Route 20 Task Force and the Board of Selectmen.

ROUTE 20 TASK FORCE AND BOARD OF SELECTMEN REPORT: The permanent Traffic Management Committee (TMC) proposed by this article will continue the work begun by the Route 20 Task Force on traffic and traffic-related issues. The TMC will study and monitor the impact to traffic patterns caused by local and regional development proposals and perform townwide strategic traffic planning to assist the decision-making process of Town boards. The TMC shall have five members with three members appointed by the Board of Selectmen and two members appointed by the Planning Board. Route 20 Task Force and Board of Selectmen support this article.

FINANCE COMMITTEE REPORT: Recommend approval.

ARTICLE 52. INCREASE HISTORICAL COMMISSION MEMBERSHIP

To see if the Town will vote to increase the membership of the Historical Commission from five to seven members pursuant to M.G.L. Chapter 40, Section 8D, so that each of the two new members will be appointed for a three-year term to expire in 1991; or act on anything relative thereto.

Submitted by the Historical Commission.

HISTORICAL COMMISSION REPORT: It is the feeling of the present Commission members that the Commission's growing number of tasks and responsibilities necessitates an increase in the Commission's membership. Two particular matters which require Commission attention are the establishment and maintenance of a Registry of Old Homes in accordance with a request of the Massachusetts Historical Commission (MHC), and the appointment of a member liaison to the MHC. The present Commission voted unanimously for an increase in its membership to seven.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

ARTICLE 53. AMEND BYLAW, ART. XI(A), COUNCIL ON AGING - MEMBERSHIP

To see if the Town will vote to amend Article XI(A) of the Town of Sudbury Bylaws by deleting therefrom Section 1 and substituting therefor the following:

"Section 1. The Board of Selectmen shall appoint a Council on Aging to consist of nine residents of the Town. Appointments shall be for terms of three years. The Selectmen shall annually appoint three members. No less

than two of the members shall be over sixty-five years of age. Members may serve no more than two consecutive terms. However, upon the expiration of one year after completion of a second consecutive term, a former member shall be eligible for reappointment.";

or act on anything relative thereto.

Submitted by the Council on Aging.

COUNCIL ON AGING REPORT: When the Council on Aging was established in June 1973 by town meeting vote, the Bylaw XI(A) provided for the appointment of seven Sudbury residents by the Selectmen to identify the total needs of the elderly population, to design, promote and implement services to fill these needs and promote and support other programs to assist the elderly in the community. At that time, it was estimated that 725 of our population were elderly citizens and it was desirable to have planned social activities addressed to their needs and to have a center which would be a clearing house for information. Today the Council on Aging and our staff fulfill that charter in a variety of ways. We offer seniors activities throughout the year including meals, current events discussion groups, speakers, a walking club, exercise and music, bridge for fun, cook-outs and day trips. Hot lunches are provided three days a week at our very limited rented facility which serves as our Senior Center. Our outreach worker assists our seniors with Medicare health concerns, fuel assistance applications and answers questions and makes referrals when required. The Sudbury Visiting Nurses Association actively participates in providing health information and services.

Our present senior population is approximately 1600 and an anticipated increase of an additional 1800 (the current 50-60 year age bracket) requires the Council to plan ahead for both leadership and facilities to meet the needs of our current and future elderly community. It follows that a larger and more representative Council is desirable to expand the expertise available within the Council. This would provide the more diverse leadership which will be required for our planned expanded programs and our proposed new Senior Center. Therefore, the Council on Aging recommends this bylaw amendment for the increase of membership on the Council to nine members and urges your support for this article.

Note: Section 1 of Article XI(A) currently reads:

"Section 1. The Board of Selectmen shall appoint a Council on Aging to consist of seven (7) residents of the Town. Appointments shall be for three (3) year terms, except for original appointments. No less than two of the members shall be over sixty (60) years of age. The original appointments shall be as follows - three (3) members shall be appointed for three (3) years, two (2) for two years, and two (2) for one (1) year. Thereafter, all terms shall be for three (3) years. Members can be reappointed for concurrent terms."

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 54. COUNCIL ON AGING APPOINTMENT PROCEDURE

To see if the Town will vote to authorize the Board of Selectmen to appoint members of the Council on Aging in the following manner for the following years such that the terms of the present members shall expire according to their appointments and by 1991 the terms of three members will expire each year thereafter: in 1988, three members for three years, one member for two years, and one member for one year; in 1989, three members for three years; in 1990, three members for three years; or act on anything relative thereto.

Submitted by the Council on Aging.

COUNCIL ON AGING REPORT: This article implements the article amending Bylaw XI(A) - Council on Aging membership by outlining the appointment procedure which will be followed to increase the Council on Aging to nine members. Recommend approval.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 55. AMEND ZONING BYLAW, ART. IX, V, A - SITE PLAN SPECIAL PERMIT: APPLICABILITY, COMPLIANCE, INTERPRETATION

To see if the Town will vote to amend Section V of Article IX of the Town of Sudbury Bylaws (the Zoning Bylaw) by deleting in its entirety subsection A.1, Applicability, and substituting therefor the following:

- "1. Applicability - No business, industrial, research or institutional building, nor any building to be used for any of those nonresidential uses designated in Section III, subsections B, C or D of this bylaw shall hereafter be erected or externally enlarged and no area for parking, loading or vehicular service (including driveways giving access thereto) shall be established or substantially altered and no use shall be changed except in conformity with a site plan bearing an endorsement of approval by the Board of Selectmen; provided, however, that the temporary use of trailers for storage or office purposes is allowed where they conform to procedural regulations adopted by the Board of Selectmen.
2. Site Plan Compliance - No Certificate of Occupancy shall be issued by the Building Inspector until the site has been developed in compliance with the approved site plan, unless completion is delayed by seasonal considerations. In such instances, the Building Inspector may issue a temporary occupancy permit and shall require sufficient security to insure full compliance within six months.
3. Interpretation - Change in use means a change in part or all of an existing building or lot from one of the use categories listed in the chart to another. Uses not included in the following chart shall be deemed to be included in the most nearly comparable use category. However, in a mixed or multi-use building, change or rearrangement of uses that does not result in an increase of required parking or loading

spaces according to the Schedule of Uses in subsection V.C hereof shall not be construed as a change in use. For a use not included in said Schedule of Uses, the requirement for the most nearly comparable use appearing in the Schedule of Uses shall apply.

Classification of Uses

Number	Use Category
1.	Educational
2.	Religious
3.	Philanthropic
4.	Medical Center and Nursing Home
5.	Lodge and Club
6.	Hotel and Motel
7.	Retail Store
8.	Personal Service Shop
9.	Restaurant
10.	Indoor Amusement
11.	Outdoor Amusement
12.	Funeral Home
13.	Repair Shop and Building Trade
14.	Veterinary and Kennel
15.	Financial and Business Office
16.	Professional Office
17.	Medical Center and Laboratory
18.	Auto Service Station
19.	Auto Body Shop
20.	Vehicular Dealership
21.	Warehouse
22.	Storage Yard
23.	Manufacturing, Packaging, Processing and Testing
24.	Laboratory Research and Development

Substantial alteration to areas for parking, loading or vehicular access shall include a change in the layout or location of parking spaces, an increase in pavement area or any relocation, addition or change in driveways. Resurfacing shall not be construed as a substantial alteration unless it involves a change of surface material.";

and by renumbering existing subsections A.2 through A.11 as follows; 4. Rules and Regulations and Fees, 5. Application, 6. Reports from Town Boards or Agencies, 7. Public Hearing and Decision, 8. Site Design Standards for Site Plan Special Permits, 9. Reserve Parking Spaces, 10. Action by the Board of Selectmen, 11. Special Permit Conditions, 12. Time Limitation on Site Plan Special Permit, 13. Effective Date of Special Permit;

or act on anything relative thereto.

Submitted by the Planning Board.

(Two-thirds vote required.)

PLANNING BOARD REPORT: The proposed amendment would allow the Building Inspector, in some circumstances, to withhold the Certificate of Occupancy for those business, industrial, research or institutional properties not meeting an approved site plan. In addition, the amendment would require that any substantial changes in business, industrial, research or institutional use be allowed only upon issuance of a new Site Plan Special Permit.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval in order to bring zoning bylaws into compliance.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 56. AMEND ZONING BYLAW, ART. IX, III, A, 2 - PERMITTED USES,
RESIDENCE DISTRICTS: SINGLE ACCESSORY DWELLING UNITS

To see if the Town will vote to amend the Sudbury Zoning Bylaw, Article IX, Section III, A, entitled: "Residence Districts", by adding a new subsection 2, entitled: "Special Provisions for Single Accessory Dwelling Units in Residence District A and C", to read as follows:

"2. SPECIAL PROVISIONS FOR SINGLE ACCESSORY DWELLING UNITS IN RESIDENCE DISTRICT A AND C

- a. Definition - A single accessory dwelling unit is a second dwelling unit located within a structure constructed as a detached one family dwelling, subordinate in size to the principal dwelling unit and separated from it, in a manner that maintains the appearance of the structure as a one family dwelling.
- b. General Purpose - The existing development patterns of the Town have resulted in conditions which make it difficult for Town employees, young people, older people and persons of low and moderate income to find suitable housing within the Town. The special regulations contained in this Section III.A.2 have been enacted for the purpose of encouraging the construction of a limited number of housing units suitable for occupancy by such persons, while ensuring compliance with local planning standards and policies concerned with land use, building design, and requirements of the health, safety, convenience and general welfare of the inhabitants of the Town.
- c. Conditions and Requirements - An owner or owners of a single-family dwelling in Single Residence District "A" or "C", including the Historic Districts, may after consultation with the Planning Board, apply to the Board of Appeals for a special permit for the construction and occupancy of a single accessory dwelling unit in a detached one family dwelling. After notice and public hearing, and after due consideration of the reports and recommendations of the Planning Board, the Board of Health, (and the Historic Districts Commission, where applicable), the Board of Appeals may grant such special permit provided that each of the following conditions and requirements are met:

1) General

- a) The area of the lot on which the single family dwelling is located shall not be less than 40,000 square feet.
- b) The accessory dwelling unit shall be located within the single family dwelling as it existed on January 1, 1988 which shall be verified in the records of the Building/Inspection Department or on a document entitled "Total Living Area of Dwellings as of January 1, 1988 (property record card)", prepared by the Board of Assessors.

- c) The dwelling unit shall be a use incidental to the single family dwelling, shall contain no more than 1,200 square feet and shall occupy no more than 30% of the floor area of the single family dwelling exclusive of any garage, shed, or similar structure of accessory use attached to the single family dwelling. Floor area is defined as the actual heated living area and does not include unfinished basements, attics, or storage spaces.
- d) There shall be no more than one single accessory dwelling unit within a single family dwelling.
- e) The owner of the dwelling in which the single accessory dwelling unit is created shall occupy either of the dwelling units in the structure, except for temporary absences as provided in subsection 2.g.

For the purpose of this section the "owner" shall be one or more individuals who constitute a family, who hold title directly or indirectly to the dwelling, and for whom the dwelling is the primary residence for voting purposes. If the lot on which the single accessory dwelling unit is to be located is owned by the Town of Sudbury, the owner-occupancy requirement of this paragraph shall not be applicable as long as the lot and the structures thereon continue to be owned by the Town of Sudbury.

- f) Neither unit of a dwelling with a single accessory dwelling unit shall be used as a boarding or lodging house.
- g) Adequate provision shall be made for the disposal of sewage, waste and drainage generated by the occupancy of such single accessory dwelling unit in accordance with the requirements of the Board of Health.
- h) A separate outside entrance to the single accessory dwelling unit shall be provided.
- i) The construction and occupancy of the single accessory dwelling unit shall not be detrimental to the neighborhood in which the lot is located or injurious to persons or property.
- j) Adequate provision shall be made for off-street parking of motor vehicles in such a fashion as is consistent with the character of a single family residence and in accordance with subsection 2.c.3.
- k) Applicable requirements of the Massachusetts State Building Code must be met.
- l) The Special Permit shall be issued to the owner of the property. Should there be a change in ownership, the Special Permit use and certificate of occupancy for the accessory dwelling unit shall become null and void.

- 2) Exterior Appearance of a Dwelling with a single accessory dwelling unit - The single accessory dwelling unit shall be designed so that the appearance of the structure remains that of a one family dwelling, subject further to the following conditions and requirements:
 - a) All stairways to second or third stories shall be enclosed within the exterior walls of the dwelling.
 - b) There shall be no enlargements or extensions of the dwelling in connection with a single accessory dwelling except for minimal additions necessary to comply with building, safety or health codes, or the enclosure of an entryway, or for enclosure of a stairway.
 - c) Any new entrance shall be located on the side or in the rear of the dwelling.
 - d) Where there are two or more existing entrances on the front facade of a dwelling, modifications made to any entrance shall be carried out in such a fashion that one appears to be the principal entrance and other entrances appear to be secondary.
- 3) Off-Street Parking - There shall be at least two off-street parking spaces for the principal dwelling unit and at least one off-street parking space for the single accessory dwelling unit. In order to maintain the appearance of a single family neighborhood all parking spaces on the lot shall be subject further to the following conditions and requirements:
 - a) Each parking space and the driveway leading thereto shall be paved or shall have an all-weather gravel surface. No motor vehicles shall be regularly parked on the premises other than in such a parking space.
 - b) No more than two parking spaces shall be located in the required front yard. All other parking spaces shall be either:
 - (1) outdoor parking spaces located in a side or rear yard or
 - (2) in a garage or carport.
 - c) There shall be no more than four outdoor parking spaces on the lot.
 - d) No parking space shall be located within the boundary of a street right-of-way.
 - e) Parking spaces shall be located so that both the principal dwelling unit and single accessory dwelling unit shall have at least one parking space with direct and unimpeded access to the street without passing through a parking space designated to serve the other dwelling unit.

- f) Where there are more than two outdoor parking spaces, there shall be provided suitable screening with evergreen or dense deciduous plantings, walls, fence, or a combination thereof in the area between the parking spaces and the nearest side lot line and, if the parking space is in the front yard and parallel to the street, in the area between the parking space and the front lot line. Screening shall be sufficient to minimize the visual impact on abutters and to maintain the single family appearance of the neighborhood.
- d. Board of Health Report - In order to ensure compliance with subsection 2.c.1.g above, the applicant shall obtain and submit to the Board of Appeals prior to the hearing, a written report of the Board of Health certifying that the conditions of subsection 2.c.1.g have been met.
- e. Planning Board Report - In connection with an application for a special permit under this section, the applicant shall consult with the Planning Board prior to the hearing and the Planning Board shall submit in writing, prior to the hearing, its recommendations and report to the Board of Appeals. The report of the Planning Board shall include as a minimum:
 - 1) a determination of the area of the lot on which the single accessory dwelling unit is located;
 - 2) a general description of the neighborhood in which the lot lies and the effect of the proposed accessory dwelling unit on the neighborhood;
 - 3) the Planning Board's recommendations as to the advisability of granting the special permit and as to any restrictions which should be imposed as a condition of such permit.
- f. Consideration of Planning Board Report - The Board of Appeals shall review the report of the Planning Board and, where its decision differs from the recommendation of the Planning Board, shall state the reasons therefor in writing.
- g. Temporary Absence of Owner - An owner of a dwelling containing an accessory dwelling unit who is to be absent for a period of less than two years may rent the owner's unit as well as the second unit during the temporary absence provided:
 - 1) Written notice thereof shall be made to the building inspector on a form prescribed by him.
 - 2) The owner shall be a resident in the house for at least two years prior to the temporary absence.
 - 3) The residence shall be owner-occupied for at least two years between such temporary absences.
 - 4) The house shall remain the owner's primary legal residence for voting purposes.

- h. Number of Accessory Dwelling Units - The number of accessory dwelling units permitted under this bylaw shall not exceed five percent of the total number of single-family residences existing in the Town at the beginning of the year in which the application was filed nor more than two percent in any single precinct as delineated on April 1, 1988. For the purposes of this bylaw, a single family residential structure which contains an accessory dwelling unit shall be counted as a single-family residence.
- i. Other Requirements - Except as provided herein, all requirements of Single Residence Districts apply as provided in this Bylaw.";

or act on anything relative thereto.

Submitted by the Planning Board.

(Two-thirds vote required.)

PLANNING BOARD REPORT: Many Town residents over a number of years have modified their homes to provide a separate dwelling unit for elderly parents, adult children, Town employees and others. Such residential modifications have occurred in the past only upon the issuance of a permanent and perpetual variance issued by the Board of Appeals. The proposed amendment is designed to allow the addition of a limited number of housing units suitable for occupancy by such persons while ensuring compliance with other Town policies concerning land use, building design, and the general welfare of the Town.

The amendment authorizes by special permit an owner and resident of the Town to create one additional dwelling unit within a detached one-family dwelling, provided the second unit is subordinate in size to the principal dwelling unit, and separated from it in a manner that maintains the appearance of the structure as a one-family dwelling. It places an upper limit on the number of accessory dwelling units which may be allowed in Town or in any single precinct. The number of accessory dwelling units permitted may not exceed five percent of the total number of single-family residences existing in the Town at the beginning of the year in which the application is filed nor more than two percent in any single precinct as delineated on April 1, 1988. The basic criteria as defined in the amendment for an accessory dwelling unit are:

Requirements of Property:

1. The single family dwelling must be located on at least 40,000 square feet of land.
2. The owner of the property must occupy either the accessory dwelling unit or the principal residence (except for legitimate temporary absences).
3. The accessory dwelling unit must be placed in a single family residence which was in existence on January 1, 1988. Thus, brand new homes are excluded from these provisions.

Accessory Dwelling Requirements:

1. The accessory dwelling unit must not occupy more than 30% of the total floor area of the accessory dwelling unit and the principal residence combined. This is determined by measuring the floor area

after conversion. Floor area refers to the actual heated living areas and does not include unfinished basements, attics, or storage spaces. No matter how large the home, the accessory dwelling unit may not exceed 1,200 square feet. These provisions are designed to avoid the appearance or reality of two-family housing: that is, to ensure that the accessory dwelling unit is subsidiary to the principal dwelling, and that it is not as large as a house.

2. Adequate provision must be made for the disposal of sewage in accordance with the requirements of the Board of Health.
3. Separate outside access to the accessory dwelling and adequate provision for offstreet parking of vehicles must be provided.
4. Only one accessory dwelling unit shall be allowed within a single family dwelling.
5. The accessory dwelling unit must not be detrimental to neighborhood or injurious to persons or property.
6. The Special Permit shall only be issued to the owner of the property. Should there be a change in ownership, the Special Permit use and certificate of occupancy for the accessory dwelling unit becomes null and void.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee recommends approval and sees the bylaw as a timely effort to address an existing need in Sudbury.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 57. AMEND ZONING BYLAW, ARTICLE IX, III, A, 1, b(4) - PERMITTED
USES, RESIDENCE DISTRICTS: SIGNS

To see if the Town will vote to amend Section III, A, 1, b(4) of Article IX of the Town of Sudbury Bylaws by deleting the first clause thereof and substituting therefor the following:

"(4) there is no exterior display and no exterior sign pertaining to such use, except for a name plate, not exceeding two square feet in area, indicating the occupation.";

or act on anything relative thereto.

Submitted by the Planning Board.

(Two-thirds vote required.)

PLANNING BOARD REPORT: Our present Zoning Bylaw contains an inconsistency regarding the size of a customary home occupation sign. The proposed amendment would eliminate the inconsistency implied by Section III.A.1.b(4), thus bringing its amended form into conformance with the most recently adopted sign bylaw.

Note: Section A,1,b(4) currently reads:

"b. Customary home occupation, or a light industrial activity, conducted in a dwelling or building accessory thereto by a person living and maintaining a home on the premises provided that: ...

(4) there is no exterior display and no exterior sign pertaining to such use, except for a name plate, not exceeding one square foot in area, indicating the occupation. The Board of Appeals may, if circumstances warrant, allow deviations from the provisions of this paragraph (4)."

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval to make bylaws consistent.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 58. AMEND ZONING BYLAW, ARTICLE IX,I,D,3 - NON-CONFORMING
BUILDINGS AND USES - DELETE HARDSHIP CLAUSE

To see if the Town will vote to amend Section I,D,3, Art. IX, of the Town of Sudbury Bylaws (The Zoning Bylaw) by deleting therefrom subparagraph 2) and renumbering subparagraph 3) as follows:

"2) that it will not be substantially more detrimental or objectionable to the neighborhood than the existing non-conforming use.";

or act on anything relative thereto.

Submitted by the Planning Board.

(Two-thirds vote required.)

PLANNING BOARD REPORT: The purpose of the proposed amendment is to correct a conflict which exists between the Sudbury Zoning Bylaw and the enabling statute, Massachusetts General Laws, Chapter 40A. Massachusetts General Laws, Chapter 40A, Section 6, sets forth the criteria a Special Permit Granting Authority is to use when considering a special permit for extension of a non-conforming structure or use. The statute provides that "pre-existing non-conforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority designated by ordinance or bylaw that such change, extension or alteration shall not be substantially more detrimental than the existing non-conforming use of the neighborhood". The statute does not require the demonstration of a hardship in order that a special permit be granted for the extension of a non-conforming use. The deletion of subsection 2), "that it will alleviate a clearly demonstrable hardship", and the renumbering of Subsection 3) as Subsection 2) will bring the Sudbury Zoning Bylaw into conformance with the enabling statute.

Note: Printed below is current wording of part 3 of Article I, Section D, Non-conforming Buildings and Uses:

"3. Extension and Enlargement. The Board of Appeals by special permit may authorize a non-conforming use to be extended or a non-conforming building to be structurally altered or enlarged; provided that such extension, alteration or enlargement meets all the following requirements:

- 1) All the special permit guidelines of Article IX,VI,C,5;
- 2) that it will alleviate a clearly demonstrable hardship; and
- 3) that it will not be substantially more detrimental or objectionable to the neighborhood than the existing non-conforming use."

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 59. Withdrawn.

ARTICLE 60. AMEND ZONING BYLAWS, ARTICLE IX,IV,D,7 INTENSITY REGULATIONS
CLUSTER DEVELOPMENT - HEARING AND DECISION

To see if the Town will vote to amend the Sudbury Zoning Bylaw, Article IX,IV,D, Cluster Development, by deleting Paragraph Number 7, Public Hearing and Decision, thereof in its entirety and substituting therefor a new Paragraph Number 7, to read:

"7. Public Hearing and Decision - The Planning Board shall hold a public hearing no later than sixty-five (65) days after the filing of an application. The Planning Board shall have the power to continue a public hearing under this section if it finds that such continuance is necessary to allow the petitioner or applicant to provide information of an unusual nature and which is not otherwise required as part of the special permit application. The Planning Board shall act within ninety days of the close of the public hearing for which notice has been given. Failure by the Planning Board to take final action upon an application for a special permit within said ninety days shall be deemed to be a grant of the permit applied for. The Planning Board shall make a detailed record of its proceedings, a copy of which shall be filed within fourteen days of such proceedings in the office of the Town Clerk. Notice of such decision shall be mailed forthwith to the applicant, to the parties in interest designated by law, and to every person present at the hearing who requested that notice be sent to him and stated the address to which the notice was to be sent. Said notice shall specify that appeals, if any, shall be made pursuant to M.G.L. Chapter 40A, Section 17, and shall be filed within twenty days after the date of filing of such notice in the office of the Town Clerk.";

or act on anything relative thereto.

Submitted by Planning Board.

(Two-thirds vote required.)

Planning Board Report: Paragraph Number 7, as amended above, conforms to revisions of Massachusetts General Laws, Chapter 40A, Section 9, pertaining to procedure.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 61. AMEND ZONING BYLAW, ARTICLE IX,V,A, SPECIAL REGULATIONS
SITE PLAN SPECIAL PERMIT - HEARING AND DECISION

To see if the Town will vote to amend the Sudbury Zoning Bylaw, Article IX,V,A, Site Plan Special Permit, by deleting Paragraph Number 5, Public Hearing and Decision, thereof in its entirety and substituting therefor a new Paragraph Number 5, to read:

"5. Public Hearing and Decision - The Board of Selectmen shall hold a public hearing no later than sixty-five (65) days after the filing of an application. The Board of Selectmen shall have the power to continue a public hearing under this section if it finds that such continuance is necessary to allow the petitioner or applicant to provide information of an unusual nature and which is not otherwise required as part of the special permit application. The Board of Selectmen shall act within ninety days of the close of the public hearing for which notice has been given. Failure by the Board of Selectmen to take final action upon an application for a special permit within said ninety days shall be deemed to be a grant of the permit applied for. The Board of Selectmen shall make a detailed record of its proceedings, a copy of which shall be filed within fourteen days of such proceedings in the office of the Town Clerk. Notice of such decision shall be mailed forthwith to the applicant, the parties in interest designated by law, and to every person present at the hearing who requested that notice be sent to him and stated the address to which the notice was to be sent. Said notice shall specify that appeals, if any, shall be made pursuant to M.G.L. Chapter 40A, Section 17, and shall be filed within twenty days after the date of filing of such notice in the office of the Town Clerk.";

or act on anything relative thereto.

Submitted by Planning Board.

(Two-thirds vote required.)

PLANNING BOARD REPORT: Paragraph Number 5, as amended above, conforms to revisions of Massachusetts General Laws, Chapter 40A, Section 9, pertaining to procedure.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 62. AMEND BYLAWS: WETLANDS PROTECTION

To see if the Town will vote to amend the Town of Sudbury Bylaws by adding thereto a new Article to be numbered by the Town Clerk, entitled, "Wetlands Protection", to read as follows:

"SECTION 1: Purpose

The purpose of this bylaw is to protect the wetlands, related water resources, and adjoining land areas by prior review and control of activities deemed to have a significant or cumulative effect upon wetland values,

including but not limited to the following: public or private water supply, groundwater, flood control, erosion and sedimentation control, storm damage prevention, water pollution prevention, fisheries, shellfish, wildlife habitat (including but not limited to breeding and spawning areas), recreation, aesthetics and agriculture values (collectively the "wetland values protected by this bylaw").

SECTION 2: Jurisdiction

Except as permitted by the Conservation Commission or as provided in this bylaw, no person shall remove, fill, dredge, alter or build upon the following resource areas: within 100' of or in any freshwater wetland, marsh, wet meadow, bog or swamp; within 100' of or on any bank or flat; within 100' of or within any lake, river, pond, or stream; any land under said waters; and within 100' of or on any land subject to flooding or inundation by groundwater or surface water. Except as permitted by the Conservation Commission or as provided in this bylaw, no effluent in excess of 15,000 gallons per day may be discharged within 100' of the above resource areas.

SECTION 3: Exceptions

The permit and application required by this bylaw shall not be required for maintaining, repairing, or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public to provide electric, gas, water, telephone, telegraph or other telecommunications services, provided that written notice has been given to the Conservation Commission prior to commencement of work, and provided that the work conforms to performance standards and design specifications in regulations adopted by the Commission.

The permit and application required by this bylaw shall not be required for work performed for normal maintenance or improvement of land in agricultural use, provided that written notice has been given to the Conservation Commission prior to commencement of work, and provided that the work conforms to performance standards and design specifications in regulations adopted by the Commission. Expansion of an agricultural use to land not being use for agricultural purposes shall require a permit under this bylaw.

The permit and application required by this bylaw shall not apply to emergency projects necessary for the protection of the health or safety of the public, provided that the work is to be performed by or has been ordered to be performed by an agency of the United States, or of the Commonwealth, or a political subdivision thereof, and provided that advance notice, oral or written has been given to the Commission prior to commencement of work or within 24 hours after commencement, and provided that the Conservation Commission or its agent certifies the work as an emergency project, and provided that the work is performed only for the time and place certified by the Conservation Commission for the limited purposes necessary to abate the emergency, and provided that within 21 days of commencement of an emergency project a permit application shall be filed with the Conservation Commission for review as provided in this bylaw. Upon failure to meet these and other requirements of the Commission, imposed in accordance with this

bylaw, the Commission may, after notice and a public hearing, revoke or modify an emergency project approval and order restoration and mitigation measures. Other than stated in this section the exceptions provided in the Wetlands Protection Act (M.G.L. c.131 s.40) shall not apply under this bylaw.

SECTION 4: Applications for Permits and Requests for Determination

Written application to perform activities regulated by this bylaw shall be filed with the Conservation Commission. No application shall be filed until all other variances and approvals required by any other bylaw, regulation Subdivision Control Law have been obtained or applied for. The application shall include such information and plans as are necessary to describe the proposed activities and their effects on the environment. No activities shall commence except upon receipt of and in compliance with a permit issued pursuant to this bylaw.

The Conservation Commission may accept as the application and plans under this bylaw the Notice of Intent and plans filed under the Wetlands Protection Act, M.G.L. c.131 s.40.

Any person desiring to know whether proposed activity or an area is subject to this bylaw may in writing request a determination from the Commission. Such a request for determination shall contain data and plans specified by the regulations of the Commission.

At the time of an application or request the applicant shall pay a filing fee specified in regulations of the Commission. Each application shall be accompanied by a fee established by the Commission to cover the costs of notice and advertising of the public hearing. In addition, the Commission is authorized to require the applicant to pay the costs and expenses of any expert consultant hired by the Commission to review the application or request up to a maximum of \$2,500.00. The Commission may waive the filing fee and costs and expenses for an application or request filed by a government agency and shall waive them for a request for determination filed by a person having no financial connection with the property which is the subject of the request.

SECTION 5: Notice and Hearings

Upon receipt of an application or a request for determination the Conservation Commission shall give written notice thereof, to all abutters at their mailing addresses shown on the most recent applicable tax list of the Assessors. The notice to abutters shall include a copy of the application or request, with plans, or shall state where copies may be examined and obtained by abutters free of charge.

The Conservation Commission shall conduct a public hearing on any application or request for determination, with written notice, given at the expense of the applicant, at least five days prior to the hearing, in a newspaper of general circulation in Sudbury.

The Commission shall commence the public hearing within 21 days from receipt of an application or request for determination unless an extension is authorized in writing by the applicant.

The Commission shall issue its permit or determination in writing within 21 days of the close of the public hearing thereon unless an extension is authorized in writing by the applicant.

The Commission may combine its hearing under this bylaw with the hearing conducted under the Wetlands Protection Act, M.G.L. c.131 s.40.

The Commission shall have authority to continue the hearing to a date certain announced at the hearing, for reasons stated at the hearing, which may include receipt of additional information offered by the applicant or others, or information and plans required of the applicant and deemed necessary by the Commission in its discretion, or comments and recommendations of boards and officials listed in Section 6. In the event the applicant objects to a continuance or postponement, the hearing shall be closed and the Commission shall take action on such information as is available.

SECTION 6: Coordination with other Boards

Upon receipt of a permit application or a request for determination the Conservation Commission shall provide a copy thereof to the Board of Selectmen, Planning Board, Engineering Department, Board of Health, Water District and the Building Inspector. Copies necessary for distribution shall be provided by the applicant at the time of submission. The Commission shall not take final action until such boards and officials have had 14 days from receipt of notice to file written comments and recommendations with the Commission, which the Commission shall take into account but which shall not be binding on the Commission. The applicant shall have the right to receive any such comments and recommendations, and to respond to them at a hearing of the Commission, prior to final action.

SECTION 7: Pre-Acquisition Violation

Any person who purchases, inherits or otherwise acquires real estate upon which work has been done in violation of the provisions of this bylaw or in violation of any permit issued pursuant to this bylaw, shall forthwith comply with any such order to restore such land to its condition prior to any such violation; provided, however, that no action, civil or criminal, shall be brought against such person unless commenced within three years following the date of acquisition of the real estate by such person.

SECTION 8: Permits, Determinations, and Conditions

If the Conservation Commission, after a public hearing, determines that the activities which are the subject of the application are likely to have a significant or cumulative effect upon the wetland values protected by this bylaw, the Commission, within 21 days of the close of the hearing, shall issue or deny a permit for the activities requested. If it issues a permit, the Commission shall impose conditions which the Commission deems are necessary or desirable to protect those values, and all activities shall be done in accordance with those conditions.

The Commission is empowered to deny a permit for failure to meet the requirements of this bylaw; for failure to submit necessary information and plans requested by the Commission; for failure to meet the design specifications, performance standards, and other requirements in regulations of the Commission; for failure to avoid or prevent substantial adverse effects upon the wetland values protected by this bylaw provided that no permit shall be denied solely for adverse aesthetic effects; and where no conditions are adequate to protect those values.

A permit shall expire three years from the date of issuance. Notwithstanding the above, the Commission in its discretion may issue a permit expiring five years from the date of issuance for recurring or continuous maintenance work, provided that annual notification of time and location of work is given to the Commission. Any permit may be renewed once for an additional one year period, provided that a request for a renewal is received in writing by the Commission prior to expiration of the permit.

For good cause, after notice to the holder of the permit, notice to the public, abutters, and town boards, and a public hearing, the Commission may revoke or modify a permit issued under this bylaw.

No work proposed in any application shall be undertaken until the permit issued by the Commission with respect to such work has been recorded in the Middlesex South District Registry of Deeds or, if the land affected thereby be registered land, in the registry section of the Land Court for said District, and until the holder of the permit certifies in writing to the Commission that the permit has been so recorded. Upon completion of the work in compliance with the permit, the Commission shall issue a certificate of compliance in a form suitable for recording.

SECTION 9: Regulations

After public notice and public hearing the Commission shall promulgate rules and regulations to effectuate the purposes of this bylaw. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this bylaw.

At a minimum these regulations shall define key terms in this bylaw not inconsistent with this bylaw.

SECTION 10: Definitions

The following definitions shall apply in the interpretation and implementation of this bylaw.

The term "person" shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to town bylaws, administrative agency, public or quasi-public corporation or body, the Town of Sudbury, and any other legal entity, its legal representatives, agents, or assigns.

The term "alter" shall include, without limitation, the following activities when undertaken to, upon, within or affecting resource areas protected by this bylaw:

- (a) Removal, excavation or dredging of soil, sand, gravel, or aggregate materials of any kind;
- (b) Changing of preexisting drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns, or flood retention characteristics;
- (c) Change in drainage and runoff or other disturbance of water level or water table;

- (d) Dumping, discharging or filling with any material which may degrade water quality;
- (e) Placing of fill, or removal of material, which would change elevation;
- (f) Driving of piles, erection or repair of buildings, or structures of any kind;
- (g) Placing of obstructions or objects in water;
- (h) Destruction of plant life including cutting of trees;
- (i) Changing water temperature, biochemical oxygen demand, or other physical or chemical characteristics of water;
- (j) Any activities, changes or work which may cause or tend to contribute to pollution of any body of water or groundwater;
- (k) Application of pesticides or herbicides.

Except as otherwise provided in regulations of the Commission, the definitions of terms in this bylaw shall be as set forth in the Wetlands Protection Act, M.G.L. c.131 s.40, and the regulations promulgated pursuant thereto.

SECTION 11: Security

As part of a permit issued under this bylaw, in addition to any security required by any other municipal or state board, agency or official, the Conservation Commission may require that the performance and observance of the conditions imposed hereunder be secured wholly or in part by one or more of the methods described below:

- (a) By a proper bond or deposit of money or negotiable securities or other undertaking of financial responsibility sufficient in the opinion of the Commission, to be released in whole or in part upon issuance of a Certificate of Compliance for work performed pursuant to the permit;
- (b) By a covenant or other enforceable undertaking, executed and duly recorded by the owner of record, running with the land to the benefit of the Town of Sudbury whereby the permit conditions shall be performed and observed before the property on which the work is to be performed may be conveyed, other than by mortgage deed. Such covenant shall be recorded with the Middlesex South Registry of Deeds, or if the land affected be registered land, in the registry section of the Land Court for said district. A mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise may sell the same, subject to such covenant. Nothing herein shall be deemed

to prohibit a conveyance by a single deed, subject to the permit and all its conditions, and such covenant, of the entire parcel of land of which the area that is the subject of the permit is a part, as described by the deed or deeds establishing ownership of the area subject to the permit at the time the permit is issued. If this form of security is used, the permittee shall deliver to the Commission, prior to issuance of the permit, certified copies of said deeds.

SECTION 12: Enforcement

The Conservation Commission, its agents, officers, and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under this bylaw and may make or cause to be made such examinations, surveys or sampling as the Commission deems necessary.

The Commission shall have authority to enforce this bylaw, its regulations, and permits issued thereunder by violations notices, administrative orders, and civil and criminal court actions.

Upon request of the Commission, the Board of Selectmen shall direct Town Counsel to take legal action for enforcement under civil law. Upon request of the Commission the Chief of Police shall take legal action for enforcement under criminal law.

Town boards and officers, including any police officer or other officer having police powers, shall have authority to assist the Commission in enforcement.

Any person who violates any provision of this bylaw, regulations thereunder, or permits issued thereunder, is subject to a penalty of \$100.00. Each day or portion thereof during which a violation continues shall constitute a separate offense, and each provision of the bylaw, regulations, or permit violated shall constitute a separate offense.

SECTION 13: Burden of Proof

The applicant for a permit shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the application will not harm the wetland values protected by this bylaw. Failure to provide adequate evidence to the Commission supporting this burden shall be sufficient cause for the Commission to deny a permit or grant a permit with conditions.

SECTION 14: Relation to the Wetlands Protection Act

This bylaw is adopted under the Home Rule Amendment of the Massachusetts Constitution and the Home Rule statutes, independent of the Wetlands Protection Act, M.G.L. c.131 s.40, and regulations thereunder.

SECTION 15: Severability

The invalidity of any section or provision of this bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any permit or determination which has been previously issued.";
or act on anything relative thereto.

Submitted by the Conservation Commission.

CONSERVATION COMMISSION REPORT: The Wetlands Bylaw Article has been submitted to augment the existing State Wetlands Protection Act to tailor the wetland permit program to local conditions. The Wetlands Protection Act administered by the Department of Environmental Quality Engineering (DEQE) is a minimum, not a maximum, for wetland protection. The proposed bylaw will extend the jurisdiction of the Conservation Commission to include isolated wetland areas, allow the Town to collect a filing fee to be specified in the Regulations, require the applicant to pay for expert consulting services for the Commission, provide a mechanism for input from other town boards prior to the hearing, require the posting of performance bonds for wetlands work as deemed necessary by the Commission, and allow the Commission to require Conservation Restrictions on specific wetland resources areas. Enforcement of wetland violations is enhanced by fines, payable to the Town. Appeals of the local bylaw will be to the Superior Court, whereas appeals under statute will remain to DEQE. It is important to note that the local bylaw will not supersede the State Wetlands Protection Act, only act to aid further protection of town-specific resources through Home Rule. This will result in town tailored application procedures, data requirements, performance standards, design specifications, and strong Commission decisions which stand unless overturned by a court for a proven good reason.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

TOWN COUNSEL OPINION: This article requires an amendment to the provisions of Section 4 dealing with expert consultants and their costs and expenses to specifically state the purposes for which such consultants may be retained and standards for the fees which are to be charged in accordance with the opinions of the Supreme Judicial Court in Emerson College v. Boston, 391 Mass. 415 (1984) and Opinion of the Justices, 250 Mass. 591 (1925). If so amended, it is my opinion that if properly moved, seconded and adopted by a majority vote in favor of the motion, the proposed change will become a valid amendment to the Sudbury Bylaws.

ARTICLE 63. Withdrawn.

ARTICLE 64. AMEND ZONING BYLAW, ART. IX,I,I, II,C & III,G -
WATER RESOURCE PROTECTION DISTRICTS

To see if the Town will vote to amend the Sudbury Zoning Bylaw:

A. ARTICLE IX, SECTION I, GENERAL, BY ADDING A SUBSECTION I TO READ AS FOLLOWS:

"I. Water Resource Protection Districts

For purposes of this bylaw, there are hereby established certain Water Resource Protection Districts, consisting of aquifers, aquifer contribution zones (Zone II) and aquifer recharge zones (Zone III). The Water Resource Protection Districts are delineated on a map at a scale

of 1 inch to 1,000 feet entitled: "Water Resource Protection Districts, Town of Sudbury". This map is hereby made a part of this zoning bylaw and is on file in the Office of the Town Clerk. These Water Resource Protection Districts shall be considered as overlaying other existing zoning districts.";

and

- B. ARTICLE IX, SECTION II, LOCATION OF ALL OTHER DISTRICTS, BY DELETING THE FIRST PARAGRAPH OF SUBSECTION C. AND SUBSTITUTING THEREFOR THE FOLLOWING:

" The Business Districts, Limited Business Districts, Industrial Districts, Limited Industrial Districts, Industrial Park Districts, Research Districts and Open Space Districts shall be denoted on said zoning map by letters as follows: Business Districts, BD; Limited Business Districts, LBD; Industrial Districts, ID; Limited Industrial Districts, LID; Industrial Park Districts, IPD; Research Districts, RD; Open Space Districts, OSD. Water Resource Protection Districts shall be denoted on the map entitled "Water Resource Protection Districts, Town of Sudbury." Districts as now established or as hereafter may be established and denoted on the zoning map, with a description of the boundaries thereof, shall be numbered consecutively in the order in which they were established or may hereafter be established; and written descriptions of such districts as now constituted are as follows:";

and

- C. ARTICLE IX, SECTION III, PERMITTED USES, BY ADDING A SUBSECTION G TO READ AS FOLLOWS;

"G. Water Resource Protection Districts

1. Purpose of Districts - The purposes of these Water Resource Protection Districts are:
 - a. To promote the health, safety, and general welfare of the community;
 - b. To protect, preserve and maintain the existing and potential water supply and groundwater recharge areas within the town;
 - c. To preserve and protect present and potential sources of water supply for the public health and safety;
 - d. To conserve the natural resources of the town; and
 - e. To prevent the pollution of the environment.

Water Resource Protection Districts are delineated on the basis of the location of aquifers, aquifer contribution zones and aquifer recharge zones, as defined in subsection 2, within the Town. It is intended that this bylaw will serve as a framework whereby additional such areas may be identified for mapping and inclusion within the protection of this bylaw.

2. Definitions

- a. Animal Feedlot - A plot of land on which 25 livestock or more per acre are fed on a regular basis.
- b. Aquifer - An area of permeable deposits of rock or soil, containing significant amounts of potentially recoverable potable water.
- c. Aquifer Contribution Zone (Zone II) - That area of an aquifer which contributes water to a well under the most severe recharge and pumping conditions that can be realistically anticipated.
- d. Aquifer Recharge Zone (Zone III) - The land area beyond the area of the aquifer contribution zone from which surface water and groundwater drain into the aquifer contribution zone (Zone II).
- e. Groundwater - All the water found beneath the surface of the ground. In this bylaw the term refers to the subsurface water present in aquifers and recharge areas.
- f. Impervious Surface - Material covering the ground, including, but not limited to, macadam, concrete, pavement and buildings, that does not allow surface water to penetrate into the soil.
- g. Leachable Wastes - Waste materials, including, but not limited to, solid wastes, sewage, sludge, and agricultural wastes that are capable of releasing pollutants to the surrounding environment.
- h. Hazardous Waste - A waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical or infectious characteristics may cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness or pose a substantial present or potential hazard to human health, safety or welfare or to the environment when improperly treated, stored, transported, used or disposed of, or otherwise managed.
- i. Mining of Land - The removal or relocation of geologic materials such as topsoil, sand and gravel, metallic ores, or bedrock.
- j. Pollutant - Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter, which is or may be discharged, drained or otherwise introduced into any surface or subsurface disposal or conveyance system, or waters of the commonwealth.
- k. Process Liquids - Liquids used in cooling, cleaning or in manufacturing processes which contact raw materials, products, wastes or machinery and which because of that contact may contain pollutants as defined in subsection 2.j above.

1. **Radioactive Materials** - Any of the materials which have a concentration which exceeds the limits set forth in Appendix B, Table II of 10 CFR Part 20 (Standards for Protection Against Radiation) or any other applicable provisions of federal or state law or regulation.
 - m. **Solid Wastes** - Useless, unwanted, or discarded solid material with insufficient liquid content to be free flowing. This includes, but is not limited to, rubbish, combustion residues, garbage, scrap materials, junk, inert fill material, demolition debris, construction wastes and refuse.
 - n. **Toxic or Hazardous Materials** - Any substance or mixture of such physical, chemical or infectious characteristics as to pose a significant, actual or potential hazard to water supplies, environmental quality, or to human health, if such substance or mixture were discharged to land or waters of this town. Toxic or hazardous materials include, without limitation, petroleum products, heavy metals, radioactive materials, pathogenic or infectious wastes, solvents, thinners and other materials which are listed as toxic, hazardous or a priority pollutant by the United States Environmental Protection Agency under any of the following laws: (1) Toxic Substances Control Act 15 U.S.C. s.2601 et seq.; (2) Federal Insecticide, Fungicide and Rodenticide Act 7 U.S.C. s.136 et seq.; (3) Resource Conservation and Recovery Act of 1976 42 U.S.C. s.6901 et seq.; (4) Comprehensive Environmental Response, Compensation and Liability Act of 1980 42 U.S.C. s.9601 et seq.; and (5) Federal Water Pollution Control Act 33 U.S.C. s.1251 et seq.
3. **Scope of Authority** - The Water Resource Protection Districts shall be considered as overlaying other zoning districts. Uses not permitted in the portions of the districts so overlaid shall not be permitted in the Water Resource Protection Districts.
 4. **Delineation of Water Resource Protection Districts** - Water Resource Protection Districts, consist of aquifers, aquifer contribution zones (Zone II) and aquifer recharge zones (Zone III). Zone II is that area of an aquifer which contributes water to a well under the most severe recharge and pumping conditions that can be realistically anticipated. It is scientifically determined by the groundwater divides which result from pumping the well and by the contact of the edge of the aquifer with less permeable materials such as till and bedrock. It is presently delineated as that area within a one-half mile (2,640 feet) radius of the well head of each public water supply well. Zone III is the land area beyond the area of Zone II from which surface water and groundwater drain into Zone II as determined by topography and surface water and groundwater drainage characteristics. In locations where surface and groundwater drainage are not coincident Zone III shall consist of both the surface drainage and the groundwater drainage areas. It is presently delineated on the basis of topography and surface water drainage. The Water Resource Protection Districts are delineated on a map at a scale of 1 inch to 1,000 feet entitled: "Water Resource Protection Districts, Town of Sudbury".

If any land designated as lying within a Water Resource Protection District is proved not to possess the characteristics by which such districts are delineated and which this bylaw seeks to protect, the Planning Board may permit uses of the land otherwise prohibited or requiring a special permit under this section if it finds that such use will not be detrimental to the environment or the health, safety and general welfare of the community. If any land designated as lying within a Water Resource Protection District, Zone II, is proved not to possess the characteristics by which such zone is delineated, but rather, characteristics by which Zone III is delineated, the Planning Board may permit use of the land in accordance with the uses permitted in Zone III if it finds that such use will not be detrimental to the environment or the health, safety and general welfare of the community. The burden of proof in such cases concerning the proposed designation of the land at issue shall be upon the owner(s) of the land in question. At the request of the owner(s) the town may engage a professional geologist, hydrologist or soil scientist to determine more accurately the location and extent of an aquifer, aquifer contribution zone or recharge area, and may charge the owner(s) for all or part of the cost of the investigation.

5. Use Regulations - Within the Water Resource Protection Districts, these regulations shall apply:

a. The following uses are permitted within Water Resource Protection Districts, Zone II, subject to subsection 5.b, provided that all necessary permits, orders, or approvals required by local, state, or federal law are also obtained:

- 1) Conservation of soil, water, plants and wildlife;
- 2) Outdoor recreation, nature study, boating, fishing, and hunting where otherwise legally permitted;
- 3) Foot, bicycle and/or horse paths and bridges;
- 4) Normal operation and maintenance of existing water bodies and dams, splash boards, and other water control, supply and conservation devices;
- 5) Maintenance, repair and enlargement of any existing structure provided there is no increase in impervious surface;
- 6) Residential development, if permitted in the underlying district, provided that no more than fifteen percent (15%) of a building lot is rendered impervious; and
- 7) Farming, gardening, nursery, conservation, forestry, harvesting, or grazing provided that agricultural chemicals including, but not limited to, fertilizers, herbicides, pesticides, manure or other leachable materials are not stored or used in any manner which may adversely affect the Water Resource Protection District.

b. The following uses are specifically prohibited within Water Resource Protection Districts, Zone II:

- 1) Solid waste disposal facilities, including, without limitation, landfills and junk and salvage yards that require a site assignment from the Board of Health under Massachusetts General Laws, Chapter 111, Section 150A (the landfill assignment law) and regulations adopted by the Department of Environmental Quality Engineering, 310 CMR 19.00;
- 2) Storage of petroleum or petroleum products, including, without limitation, gasoline, waste oil, heating oils, diesel fuel and any other liquid hydrocarbons, except within buildings which the product will heat or in quantities for normal household use and except for replacement or upgrading of existing storage vessels without increasing capacity provided there is compliance with all local, state and federal laws;
- 3) Storage of road salt or other deicing chemicals in quantities greater than for normal individual household use;
- 4) Dumping of snow, containing road salt or other deicing chemicals, which is brought in from outside the district;
- 5) Manufacture, use, storage or disposal of toxic or hazardous materials, excluding normal household activities;
- 6) Storage or disposal of hazardous waste, including, without limitation, chemical wastes, radioactive wastes, and waste oil other than in the course of normal household activities;
- 7) Industrial uses which discharge process liquids on-site;
- 8) Disposal of liquid or leachable wastes, except by individual on-site domestic sewage disposal systems serving one- or two-family residences or serving business, industrial or institutional uses discharging not more than 1,000 gallons per day per 40,000 square feet of lot area in compliance with Title V of the State Environmental Code;
- 9) Rendering impervious more than fifteen percent (15%) of the surface area of any lot as defined in subsection 2.f;
- 10) Permanent removal or regrading of the existing soil cover resulting in a finished grade at a level less than five (5) feet above the average high water level for the preceding five years as determined by the Board of Health;
- 11) Boat or motor vehicle service or repair shops, animal feed lots, car washes, heliports, electronic manufacturing, metal plating, commercial or bacteriological laboratories, and establishments conducting drycleaning activities on the premises;

- 12) Storage of uncovered manure; and
 - 13) Mining of land, except as incidental to a permitted use.
- c. The following uses are permitted by special permit within Water Resource Protection Districts, Zone II, subject to the approval of the Special Permit Granting Authority under such conditions as they may require and also subject to subsection 5.b.
- 1) The application of agricultural chemicals, including, but not limited to, pesticides, herbicides, fertilizers and soil amendments for nondomestic or nonagricultural uses provided that all necessary precautions shall be taken to prevent any adverse impact on the Water Resource Protection District and the interests to be protected thereunder. Such precautions include, but are not limited to, erosion control techniques, the control of runoff water and the prevention of volatilization and deposition of agricultural chemicals; and
 - 2) Those business, industrial and institutional activities permitted in the underlying district with a site plan review to prevent any adverse impact on the Water Resource Protection District and the interests to be protected thereunder.
- d. The following uses are permitted within Water Resource Protection Districts, Zone III, subject to subsection 5.e, provided that all necessary permits, orders, or approvals required by local, state, or federal law are also obtained:
- 1) Conservation of soil, water, plants and wildlife;
 - 2) Outdoor recreation, nature study, boating, fishing, and hunting where otherwise legally permitted;
 - 3) Foot, bicycle and/or horse paths and bridges;
 - 4) Normal operation and maintenance of existing water bodies and dams, splash boards, and other water control, supply and conservation devices;
 - 5) Residential development, as permitted in the underlying district; and
 - 6) Farming, gardening, nursery, conservation, forestry, harvesting, or grazing provided that agricultural chemicals including, but not limited to, fertilizers, herbicides, pesticides, manure or other leachable materials are not stored or used in any manner which may adversely affect the Water Resource Protection District.

e. The following uses are specifically prohibited within Water Resource Protection Districts, Zone III:

- 1) Solid waste disposal facilities, including, without limitation, landfills and junk and salvage yards that require a site assignment from the Board of Health under Massachusetts General Laws, Chapter 111, Section 150A (the landfill assignment law) and regulations adopted by the Department of Environmental Quality Engineering, 310 CMR 19.00;
- 2) Storage of petroleum or petroleum products, including, without limitation, gasoline, waste oil, heating oils, diesel fuel and any other liquid hydrocarbons, except within buildings which the product will heat or in quantities for normal household use and except for replacement or upgrading of existing storage vessels without increasing capacity provided there is compliance with all local, state and federal laws;
- 3) Manufacture, use, storage or disposal of toxic or hazardous materials, excluding normal household activities;
- 4) Storage or disposal of hazardous waste, including, without limitation, chemical wastes, radioactive wastes, and waste oil other than in the course of normal household activities;
- 5) Industrial uses which discharge process liquids on-site;
- 6) Disposal of liquid or leachable wastes, except by individual on-site domestic sewage disposal systems serving one- or two-family residences or serving business, industrial or institutional uses discharging not more than 1,000 gallons per day per 40,000 square feet of lot area in compliance with Title V of the State Environmental Code;
- 7) Boat or motor vehicle service or repair shops, animal feed lots, car washes, heliports, electronic manufacturing, metal plating, commercial or bacteriological laboratories, and establishments conducting drycleaning activities on the premises; and
- 8) Mining of land, except as incidental to a permitted use.

f. The following uses are permitted by special permit within Water Resource Protection Districts, Zone III, subject to the approval of the Special Permit Granting Authority under such conditions as they may require and also subject to subsection 5.e.

- 1) The application of agricultural chemicals, including, but not limited to, pesticides, herbicides, fertilizers and soil amendments for nondomestic or nonagricultural uses provided that all necessary precautions shall be taken to prevent any adverse impact on the Water Resource Protection

District and the interests to be protected thereunder. Such precautions include, but are not limited to, erosion control techniques, the control of runoff water and the prevention of volatilization and deposition of agricultural chemicals;

- 2) Those business, industrial and institutional activities permitted in the underlying district with a site plan review to prevent any adverse impact on the Water Resource Protection District and the interests to be protected thereunder;
- 3) Construction of dams or other water control devices, including the temporary alteration of the water level for emergency or maintenance purposes and periodic cleaning upon demonstration that said dams or other water control devices will not adversely affect the quantity or quality of water available in the Water Resource Protection District;
- 4) Ponds, pools or other changes in water bodies or courses, created for swimming, fishing, or other recreational uses, agricultural uses, or drainage improvements upon demonstration that said changes, uses or improvements will not adversely affect the quantity or quality of water available in the Water Resource Protection District;
- 5) Storage of uncovered manure, except within 100 feet from the average highwater line for the preceding five years of any water bodies and courses within Water Resource Protection Districts as determined by the Planning Board, provided that such storage will not adversely affect the quantity or quality of water available in the Water Resource Protection District;
- 6) Storage of road salt or other deicing chemicals in quantities greater than for normal individual household use; and
- 7) Dumping of snow, containing road salt or other deicing chemicals, which is brought in from outside the district;

6. Procedures for Issuance of Special Permit

- a. Special Permit Granting Authority - The Special Permit Granting Authority under this bylaw shall be the Planning Board. Such special permit shall only be granted if the Special Permit Granting Authority determines that the intent of this bylaw as well as each of its specific criteria are fully met. In making such determination, the Special Permit Granting Authority shall give consideration to the demonstrated reliability and feasibility of the use and pollution control measures proposed and the degree of threat to water quantity and quality which would result if the control measures perform at less than design efficiency. The Special Permit Granting Authority may impose

such conditions, safeguards and limitations as it deems appropriate. The Special Permit Granting Authority shall document the basis for any departures from the recommendations of the other town boards or agencies in its decision.

- b. Rules and Regulations - The Special Permit Granting Authority may adopt, and from time to time amend, Rules and Regulations consistent with the provisions of this bylaw and Chapter 40A and other provisions of the General Laws, and shall file a copy of said Rules and Regulations with the Town Clerk.
- c. Technical Assistance - The Special Permit Granting Authority may engage a Massachusetts Professional Engineer experienced in groundwater evaluation, hydrogeology or hazardous and toxic materials to review the application for completeness and correctness and shall charge the applicant for the cost of the review.
- d. Application Contents - In addition to the requirements of Massachusetts General Laws, Chapter 40A, Section 9 and the Rules and Regulations of the Special Permit Granting Authority, the following additional requirements shall apply:
 - 1) Each application for a Special Permit shall be filed with the Special Permit Granting Authority and shall comply with the Rules and Regulations of the Special Permit Granting Authority. The application, including any plans and accompanying text shall be sufficient to allow full evaluation of the proposed use on the Water Resource Protection District;
 - 2) The application shall be prepared in accordance with the data requirements of the proposed development, (e.g., site plan review, erosion and sedimentation control plan, etc.);
 - 3) The application shall include an analysis by a hydrogeologist or engineer experienced in groundwater evaluation and/or hydrogeology to demonstrate that the proposed activity will not be detrimental to the purposes of the district as set forth in subsection 1. At a minimum, the analysis shall fully describe the seasonal profile of volumes and directions of groundwater and surface water flows with and without the proposed use, the location and use of all historical, present, and potentially suitable future drinking water supplies that could be affected by the use, and the location and use of any other surface and/or groundwater that could be affected by the proposed use. In describing drinking water supplies, the applicant shall document all previously delineated Massachusetts Department of Environmental Quality Engineering aquifer classification information for the potentially affected area; and

- 4) A full profile of potential events which could adversely affect the normal range of quantity or quality of water leaving the site. Such events shall include any which could reasonably be expected to occur at least once in the lifetime of the proposed use.
- e. Review by Other Town Boards or Agencies - Upon receipt of the special permit application, the Special Permit Granting Authority shall transmit forthwith a copy of the application and plan to the Sudbury Water District, Board of Health, Conservation Commission, Town Engineer, and such other boards, departments, or committees as it may deem necessary or appropriate for their written reports. Any such board or agency to which petitions are referred shall make recommendations or submit such reports as they deem appropriate and shall send a copy thereof to the Special Permit Granting Authority and to the applicant within thirty-five (35) days of receipt of the application by such board or agency. Failure of such board or agency to make a written recommendation or submit a written report within thirty-five (35) days of receipt of the application shall be deemed a lack of opposition.
 - f. Public Hearing and Decision - The Special Permit Granting Authority shall hold a public hearing no later than sixty-five (65) days after the filing of an application. The Special Permit Granting Authority shall have the power to continue a public hearing under this section if it finds that such continuance is necessary to allow the petitioner or applicant to provide information of an unusual nature and which is not otherwise required as part of the special permit application. The Special Permit Granting Authority shall act within ninety (90) days of the close of the public hearing for which notice has been given. Failure by the Special Permit Granting Authority to take final action upon an application for a special permit within said ninety (90) days shall be deemed to be a grant of the permit applied for. The Special Permit Granting Authority shall make a detailed record of its proceedings, a copy of which shall be filed within fourteen (14) days of such proceedings in the office of the Town Clerk. Notice of such decision shall be mailed forthwith to the applicant, to the parties in interest designated by law, and to every person present at the hearing who requested that notice be sent to him and stated the address to which the notice was to be sent. Said notice shall specify that appeals, if any, shall be made pursuant to Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after the date of filing of such notice in the office of the Town Clerk.
 - g. Special Permit Approval Criteria - After notice and public hearing, and after due consideration of the reports and recommendations of the other town boards or agencies, the Special Permit Granting Authority may grant such a special permit provided that it finds that the proposed use:

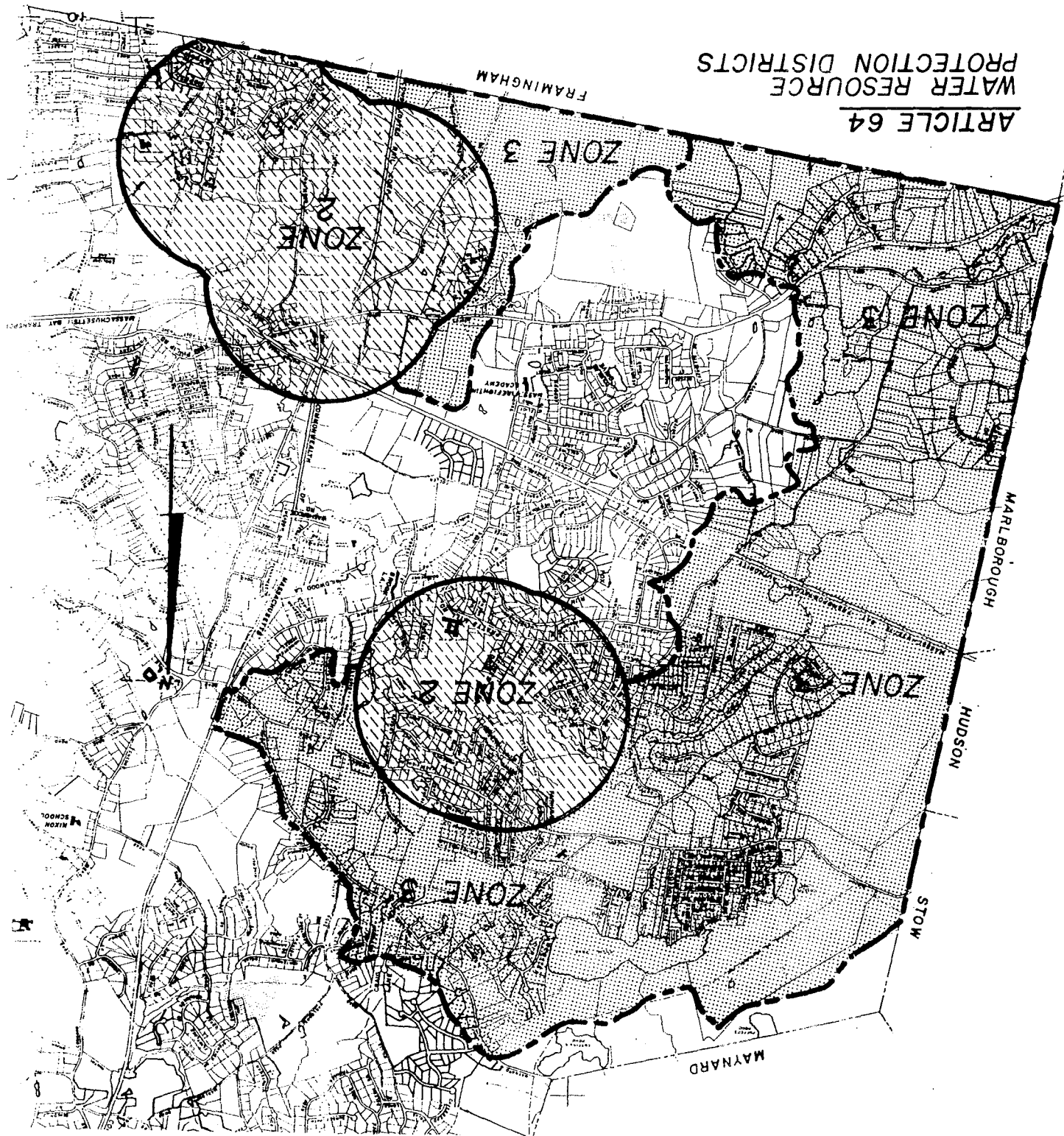
- 1) Will not cause the groundwater quality to fall below the standards established in 314 CMR 6.00, Massachusetts Groundwater Quality Standards or for parameters where no standards exist, below standards, established by the Board of Health and, where existing groundwater quality is already below those standards, upon determination that the proposed activity will result in no further degradation;
 - 2) Is in harmony with the purpose and intent of the bylaw and will promote the purposes of the Water Resource Protection District;
 - 3) Is appropriate to the natural topography, soils, and other characteristics of the site to be developed;
 - 4) Will not, during construction or thereafter, have an adverse environmental impact on any water body or course in the district; and
 - 5) Will not adversely affect an existing or potential water supply.
7. Design and Operation Guidelines - At a minimum the following design and operation guidelines shall be observed within Water Resource Protection Districts:
- a. Fill - Fill material used in the Water Resource Protection District shall contain no solid waste, toxic or hazardous materials, or hazardous waste. Adequate documentation shall be provided to the Special Permit Granting Authority to guarantee the chemical quality of the fill. The Special Permit Granting Authority may require testing by a certified laboratory at the applicant's expense.
 - b. Drainage - All runoff generated on the site shall be recharged on-site in a manner demonstrated to assure full protection of the water quality in the Water Resource Protection District. The Special Permit Granting Authority may require off-site disposal of said runoff if it is determined that either on-site recharge is infeasible because of site conditions or is undesirable because of risks to water quality from such recharge.";

or act on anything relative thereto.

Submitted by the Planning Board, Conservation Commission and Water District.

(Two-thirds vote required.)

ARTICLE 64
WATER RESOURCE
PROTECTION DISTRICTS



PLANNING BOARD, CONSERVATION COMMISSION AND WATER DISTRICT REPORT: This zoning change, jointly sponsored by the Planning Board, Conservation Commission and the Water District, identifies two areas in Town which are watersheds of our primary well locations. These watersheds have been broken down to two areas:

1. a 2,640' (one-half mile) radius (compatible with state "Zone II" regulations) from the well where limited, regulated activity may occur by special permit; and
2. the balance of the area in the watershed where certain activities identified to be detrimental to water supply can be monitored and regulated.

The purpose of this bylaw is to allow for additional protection of our water supply through use regulations in two separate zones spanning the entire watershed of the well areas. Surface and groundwater flow in these areas have been determined to effect the water quality in the wells. By regulating use we can ensure compatibility with the townwide goal of providing quality water to all residents in the Water District.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: The Finance Committee strongly endorses this article which further seeks to protect our groundwater. Recommend approval.

TOWN COUNSEL OPINION: This article requires amendments to Section G.4, and Section G.6.c, dealing with the retaining of experts and the charging of costs therefor to specifically state the purposes for which such consultants may be retained and standards for the fees which are to be charged, in accordance with the opinions of the Supreme Judicial Court in Emerson College v. Boston, 391 Mass. 415 (1984) and Opinion of the Justices, 250 Mass. 591 (1925). If so amended, it is my opinion that if properly moved and seconded, report is given by the Planning Board as required by law, and the motion is adopted by a two-thirds vote in favor of the motion, the proposed change will become a valid amendment to the Sudbury Zoning Bylaw after approval by the Attorney General.

ARTICLE 65. AMEND BYLAWS, ART, V.16 - RECREATIONAL VEHICLES

To see if the Town will vote to amend the Town of Sudbury Bylaws by deleting Article V, Section 16, and substituting therefor the following:

"Section 16. No person shall operate for recreational purposes a snowmobile, motorcycle, mini-bike, all terrain vehicle (ATV), or any other motor driven vehicle, on or through the land of another or within seventy-five (75) feet of the land of another, without first obtaining written permission from the property owner or owners affected, except that any such vehicle registered for highway use may be driven on the driveway of another and on any public way. All such vehicles must be equipped with an operating exhaust muffler that meets or exceeds the current industry standards for sound suppression. The off-highway use of such vehicles shall be limited to the hours from 9 o'clock in the morning to 5 o'clock in the evening, unless a special permit is obtained from the Board of Selectmen. The operation of such vehicles on Town-owned property is only permitted on those areas designated for the purpose by the cognizant authority."; or act on anything relative thereto.

Submitted by Petition.

PETITIONERS REPORT: The intent of this article is to expand the existing restrictions on the use of motorized recreational vehicles (snowmobiles, motorcycles, mini-bikes, and all terrain vehicles).

The current hours of permitted off-highway usage would be restricted to 9:00 a.m. through 5:00 p.m., as compared to the current times of 8:00 a.m. to 9:00 p.m. In addition, the off-highway usage of these vehicles would be prohibited within seventy-five feet of an abutter's property unless the user had obtained the advanced written consent of the abutter.

These additional restrictions are aimed at limiting the noise pollution and danger created by the use of motorized recreational vehicles. The greater hour restrictions should allow neighbors to sleep to a reasonable hour and to eat breakfast and dinner in peace, free of aggravating noise pollution. The seventy-five foot buffer zone should protect abutters from the dangers created by recreational vehicles operating close to property lines, where poor judgment by the operator could result in a loss of control and imperil individuals on the abutting property.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: Recommend disapproval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 66. AMEND BYLAWS, ART. V(C) - SMOKING PROHIBITION

To see if the Town will vote to amend the Town of Sudbury Bylaws by adding a new Article V(C) as follows:

- "(a) It is hereby declared that smoking in public places is a public nuisance, dangerous and hazardous to the public health, and violative of the right of non-smokers to breathe air which is free of smoke contamination.
- (b) As used herein, 'smoking' shall include carrying a lighted cigarette, cigar, pipe or other tobacco product.
- (c) No person shall smoke in any elevator accessible to the public.
- (d) No person shall smoke in any room to which the public is invited or in which the public is permitted, including but not limited to, any health care facility, classroom, lecture hall, theater, motion picture theater, opera house, concert hall, library, auditorium, school, retail store, reception area, restroom or lavatory, waiting room, or public area of a bank, but not including any private residence, nor any restaurant or other place mentioned in subsection (e), nor any party, beano game, social reception, or fraternal or veteran's organizations.

- (e) No person shall smoke in any restaurant or public eating establishment except in specifically designated smoking areas. This prohibition does not apply in cases in which an entire room or hall is used for a private social function and not by the proprietor or person in charge of the restaurant.

Smoking areas may be designated by the proprietor or other person in charge of a restaurant, except in places in which smoking is prohibited by the fire marshall or by other law or regulation. Designated smoking areas shall comprise no more than fifty (50) percent of the seating capacity of the restaurant. Where smoking areas are designated, existing physical barriers and ventilation systems shall be used to minimize the toxic effect of smoke on persons in adjacent no-smoking areas. In the case of restaurants consisting of a single room, the provisions of this subsection shall be considered met if one side of the room is reserved and posted as a no-smoking area, provided that the no-smoking area comprises no less than fifty (50) percent of the seating capacity of the restaurant.

However, to the extent that the shape of the room allows maximum separation, the proprietor will be required to utilize those natural barriers to satisfy the provisions of this article. Furthermore, if such natural barriers do not exist, the proprietor will make every effort to set up the space to inhibit the transfer of smoke to no-smoking areas.

The proprietor or other person in charge of a restaurant shall make reasonable efforts to prevent smoking in the no-smoking areas of the restaurant by:

- (1) posting appropriate signs;
- (2) arranging seating to provide a smoke-free area;
- (3) asking smokers to refrain from smoking upon request of a client, patron or employee suffering discomfort from the smoke; or
- (4) any other means which may be appropriate.

This subsection shall not apply to any bar with a seating capacity of fewer than seventy-five (75) persons, which is used primarily for selling alcoholic beverages for consumption on the premises and in which any sale of food or presentation of entertainment is incidental to the sale of such beverages.

Nothing in this subsection shall make lawful smoking in any area in which smoking is or may hereafter be prohibited by law.

- (f) (1) Except as provided in paragraph (2) of this subsection (f), no person shall smoke in any room under the control of a public or private employer which employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges and restrooms, conference rooms, and hallways, but not including any private residence unless it is used as a child care or health care facility, nor any dining area of a restaurant or other place mentioned in subsection (e).

(2) At the written request of one or more employees, an employer may (but is not required to) designate the area in the immediate vicinity of the employee's usual work station as a smoking area, if the employer finds that such a smoking area will not allow non-smoking employees or the public to breathe any significant amount of smoke. Upon the same request and finding, an employer may also make other reasonable accommodation to smoking employees, including provision of a separate employee lounge for smoking, no larger in floor area or seating capacity than the employee lounge for non-smokers. Upon request in writing, an employer shall provide a copy in writing of its smoking policy under this paragraph, including any designated smoking areas or other accommodation for smoking employees, to any employee, prospective employee, and the Sudbury Board of Health. Any employee aggrieved by an employer's smoking policy or any portion thereof may appeal in writing to the Sudbury Board of Health, who may modify it in any manner to carry out the purposes of this section. In any dispute arising from such a smoking policy, the health concerns of non-smokers shall be given precedence.

- (g) Every person having control of premises upon which smoking is prohibited by this article or his or her agent or designee, shall conspicuously display upon the premises a sign reading "Smoking Prohibited by Law."
- (h) It shall be unlawful for any person having control of any premises or place in which smoking is prohibited by this article to knowingly permit a violation of this article. A person shall be held to have knowingly permitted a violation of this article if a visitor to his or her premises observes one or more people smoking (other than in properly designated smoking areas) on three successive visits. Any licenses issued by the Town to such a person shall be subject to suspension for up to fifteen (15) days for a single violation of this article, and shall be subject to suspension for up to one year, or to revocation, for any successive violation.
- (i) Any person who knowingly violates any provision of this article, or who smokes in an area in which a "Smoking Prohibited by Law" notice is conspicuously posted as required by subsection (g) of this article shall be fined in an amount of not less than twenty-five (\$25.00) nor more than one hundred (\$100.00) dollars.
- (j) The Sudbury Board of Health shall enforce the provisions of this article, and for this purpose shall have the assistance of the Town Executive Secretary, Town Counsel, and the Police and Building Departments. In addition to the remedies provided by subsections (h) and (i), the Sudbury Board of Health or any person aggrieved by any violation of this article may apply for injunctive relief to enforce said provisions in any court of competent jurisdiction.
- (k) If any section, subsection, sentence, clause, phrase, or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.";

or act on anything relative thereto.

Submitted by Petition.

PETITIONERS REPORT: The intent of this article is to protect the rights and the health of nonsmokers by restricting tobacco smoking in public places.

Under this article, no smoking would be permitted at any time in the following places: elevators accessible to the public, health care facilities, classrooms, lecture halls, theatres, motion picture theatres, libraries, auditoriums, schools, retail stores, reception areas, public restrooms, waiting rooms, or public areas of banks. In addition, restaurants (but not bars with seating capacities of fewer than 75 persons) would be required to designate non-smoking areas comprising no less than 50% of the seating capacity of the restaurant.

In the work environment, employees would be guaranteed smoke-free work areas, employee lounges and restrooms, conference rooms, and hallways, except that designated smoking areas and lounges can be provided by employers on the written request of specific employees desiring such space.

The Town would be given enforcement rights in the form of fines, license suspensions, and injunctive relief. In addition, any person aggrieved by a violation of this article would be able to enforce its provisions by obtaining a court injunction.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: Recommend disapproval.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 67. AMEND ZONING BYLAW, ART. IX, I, I - PROHIBIT PACKAGE SEWAGE TREATMENT PLANTS

To see if the Town will vote to amend the Zoning Bylaw by adding to Section I, General, the following:

"I. PACKAGE SEWAGE TREATMENT PLANTS.

The use of a package sewage treatment plant shall be prohibited in any zoning district.";

or act on anything relative thereto.

Submitted by Petition.

(Two-thirds vote required.)

PETITIONERS REPORT: This article is intended to clarify what the sponsors believe to be the existing state of the law in the Town.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

PLANNING BOARD REPORT: The Planning Board will report at Town Meeting to allow input from public hearing not yet held by warrant press time.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 68. AMEND ZONING BYLAW, ART. IX, IV - REGULATION OF
RESIDENTIAL WASTEWATER TREATMENT FACILITIES

To see if the Town will vote to amend Article IX, Section IV, of the Zoning Bylaw by adding a new Subsection E entitled "Regulation of Residential Wastewater Treatment Facilities", as follows:

- "E. REGULATION OF RESIDENTIAL WASTEWATER TREATMENT FACILITIES - The Planning Board may grant a special permit for a Residential Wastewater Treatment Facility as defined herein in any location where such facilities are otherwise allowed in Sudbury by State and Town law and regulation, subject to the following:
1. Purpose - The purpose of this regulation is to ensure that any Residential Wastewater Treatment Facilities in Sudbury will only be sited, constructed, and operated in a manner so as to fully protect the public health, environmental health, and level of services available to all residents of the Town. This regulation is intended to be fully consistent with and supplemental to any position taken by the Town regarding the legality of wastewater treatment facilities as an allowed use in any zone.
 2. Definitions - The terms listed hereunder shall have the following meanings for the purpose of this subsection of the Zoning Bylaw:
 - a. Residential Wastewater Treatment Facility shall mean any sewage treatment plant and its associated infrastructure, including but not necessarily limited to the collection system, plant proper, and discharge system which is to serve primarily for the collection, treatment and discharge of domestic sewage from residences.
 - b. Title V Alternative shall mean any feasible combination of individual on-lot domestic sewage collection, treatment, and discharge facilities found by the Planning Board, Board of Health, and Conservation Commission at the time of application, assuming full compliance without variances from the Zoning Bylaw, to be suitable under Title V of the State Environmental Code and all other applicable regulations for the disposal of all of the domestic sewage from each residence on its own building lot.
 - c. Approval shall mean each actual permit and written certification documenting the final decision of a regulating body on any matter related to the permitting, review or oversight of the facilities covered in this subsection.
 - d. Aquifer Zones I, II, and III shall mean those areas encompassing and draining to public groundwater supplies as defined by regulations of the Massachusetts Department of Environmental Quality Engineering, Division of Water Supply. Unless otherwise

indicated below the zone definitions shall apply equally to areas officially designated or otherwise shown to have the physical and chemical characteristics for future designation as such zones.

- e. Criticality and Probability Classifications shall mean the system for describing the expected frequency and consequences of events shown in Table I.
- f. Reports to the Town shall mean reports promptly provided to each of the following: the Board of Selectmen, the Planning Board, the Board of Health, the Conservation Commission, and the Water District.

TABLE I

CRITICALITY AND PROBABILITY CLASSIFICATIONS

(a) Criticality Classification

Event Criticality	Description of Public Health Hazards and Environmental Consequences
Negligible	No significant risk to the public, with no illness and minor injuries at most. No potential violations of environmental standards or criteria, negligible potential for environmental damage.
Minor	Small level of public risk, with no illness and a few injuries, most of which are minor. Potential for minor on-site and no off-site damage to the environment.
Major	Major level of public risk with potential illness and/or severe injuries or fatalities. Potential for major on-site and/or some off-site environmental damage; potential violations of environmental standards or criteria.

(b) Impact Probability/Frequency Classification

Type	Frequency per Year	Description
Extraordinary	Less than 10^{-6}	An event which has never occurred, but could occur
Rare	Between 10^{-4} and 10^{-6}	An event which has occurred on a worldwide basis, but only a few times
Unlikely	Between 10^{-2} and 10^{-4}	Events which occur for facilities of the proposed type but which are not predicted to occur during the project lifetime.

Likely	Between 10^{-2} and 1	Probably will occur during the project lifetime.
Frequent	Greater than One	Occurs more than once a year on the average.

3. General requirements -

- a. No Residential Wastewater Treatment Facility shall be located in any Zone I or Zone II aquifer or recharge area as defined in Paragraph 2D of this Subsection.
- b. No Residential Wastewater Treatment Facility shall be located anywhere in Sudbury without first obtaining a Special Permit from the Planning Board under this subsection and all other required approvals.
- c. The addition to or removal of a Residential Wastewater Treatment Facility from any already submitted plan shall nullify all prior approvals by any agencies or officials of the Town for any residences to be served by the Facility. Amended plans may be resubmitted and considered anew without prejudice.
- d. No Residential Wastewater Treatment Facility shall be operated without first receiving certification by a third-party registered professional engineer that the facility has been built and will perform to all design specifications and approvals required herein. The third-party engineer shall be selected by and report to the Planning Board at the expense of the applicant. The Planning Board may, upon consultation with the Board of Health, require periodic recertification of the facility.

4. Rules and Regulations and Fees -

- a. The Planning Board may adopt, and from time to time amend, Rules and Regulations consistent with the provisions of this bylaw and Chapter 40A and other applicable provisions of the General Laws, and shall file a copy of said Rules and Regulations with the Town Clerk.
- b. Each application for a Special Permit under this subsection shall be accompanied by a filing fee of not less than \$5,000 and not more than \$15,000 to be expended by the Planning Board in obtaining independent third-party expert review of the information submitted by the applicant in support of the permit application. The Planning Board shall adopt regulations for a fee schedule under this paragraph and paragraph 4A based on the nature and complexity of the review requirements for the proposed facility.

5. Application Contents - Each application for a Special Permit under this subsection shall include the following:

- a. Detailed plans certified by a Registered Professional Engineer for the proposed facility, the residences it would serve, and the

Title V Alternative as defined in Paragraphs 2A and 2B of this subsection. The engineering detail of the plans and accompanying text must be sufficient to allow full evaluation of the facility collection, treatment, and discharge systems and their unit processes. The plans for the Title V Alternative must clearly indicate which individual lots are represented as capable of meeting the geohydrologic criteria for on-lot sewage disposal under all applicable regulations, and fully describe the basis for said representation.

- b. Detailed description of the design basis and proposed operation of the proposed facility. Details shall include but not be limited to the following:
 - (1) Identification of manufacturer and certified performance guarantees for all major equipment, including that of the facility proper and associated collections and discharge systems.
 - (2) Full characterization of the effluent quantities and quality of the proposed facility discharge and those of the Title V Alternative. The characterization shall include but not necessarily be limited to daily maximum and annual average flows, loads, and concentration estimates for each parameter for which Massachusetts Ground Water Quality or Surface Water Quality Standards have been established or proposed under 314 CMR Chapters 4.00 and 6.00 or any other applicable chapter. To the maximum extent possible, the characterization shall be based on operating data from systems similar to the one proposed.
 - (3) A detailed operating plan describing proposed staffing on a daily basis, identity and qualifications of the proposed staff, and a facility maintenance schedule.
- c. A monitoring and reporting plan for measuring the quality of the effluent and the background and receiving waters for facility discharge. The plan shall specify initial and periodic measurements and reporting to the Town of each of the parameters covered by Paragraph 5 B (2) and more frequent measurement and reporting to the Town of a representative subset of these parameters selected by the Planning Board in consultation with the Board of Health.
- d. A detailed hydrogeological study for the proposed facility, the Title V Alternative, and the drainage basin(s) in which they are located. At a minimum, the study shall fully describe the seasonal profile of volumes and directions of groundwater and surface water flows with and without the proposed facility compared to the Title V Alternative, the location and use of all historical, present, and potentially suitable future drinking water supplies that could be affected by the facility, and the location and use of any other surface and/or groundwater that could be affected by the facility. In describing drinking water supplies, the applicant shall document all previously delineated State Department of Environmental Quality

Engineering aquifer classification information for the potentially affected area. Where such information is lacking for any potentially affected drainage, the applicant shall provide sufficient additional data to delineate accurately Aquifer Zones I, II, and III as defined in Paragraph 2 D of this subsection.

- e. A full profile of potential facility upsets and outages. The profile shall describe all aspects of prospective facility performance in a matrix representation of the Criticality and Probability Classification framework defined in Paragraph 2 E of this subsection. To the maximum extent possible, the description should be based on documented operating experience at other facilities designed and operated in the manner proposed by the applicant. Notwithstanding its use in the profile, the applicant shall also provide detailed summaries of the operating histories of any Residential Wastewater Treatment Facilities it has been responsible for.
- f. An environmental, fiscal, and public service impact report providing detailed comparison of the projected impacts of the proposed facility versus those of the Title V Alternative. At a minimum, the report shall provide detailed comparison of impacts in the following categories:
 - Public health and welfare
 - Surface and ground water drainage flows, quality, and uses
 - Soil conservation and quality
 - Wetlands
 - Open space and recreation
 - Town services, including but not limited to schools, roads, public works, fiscal balance, and police and fire protection

In all subject areas, impacts shall be assessed by quantitative discussion of the incremental contribution of the proposed facility and Title V Alternative added to a cumulative baseline inclusive of other reasonably foreseeable developments in the affected drainage basins and in the Town as a whole.

- g. Copies of all trust or other agreements describing the legal and institutional basis for the facility construction and operations and clearly identifying the proposed legal and institutional mechanisms for guaranteeing plant performance and accomplishing routine maintenance, emergency response, and major repairs. Such documents shall authorize the Town to address any aspect of the facility at the owner's expense to accomplish necessary emergency response or performance improvements upon failure to accomplish the same by the owners within a reasonable period of time.
- h. A detailed contingency plan for the facility, including but not limited to details of response to all events in criticality classifications of 'minor' and 'major' and probability classifications of 'frequent' or 'likely' consistent with the information provided under paragraphs 2 E and 5 E of this subsection.

- i. A definitive plan for both long-term handling and off-site disposal of any facility sludges and other residuals, and for off-site disposal of untreated or partially treated sewage during any periods of plant outage or less-than-design level guaranteed performance as established from the information provided under paragraph 5 B of this subsection. Said plan shall include copies of all required agency prior approvals and outside contractual agreements needed to demonstrate its feasibility to the satisfaction of the Planning Board.
 - j. A legally binding commitment to provide the Town a one hundred percent (100%) replacement bond or its equivalent covering all costs of design, materials, and construction in the event of the need to replace the facility or portions thereof as determined by the Town.
 - k. The documentation establishing the opening and funding of an escrow account adequate for at least one year of operation and maintenance of the facility by the Town, utilizing any necessary contracted assistance. The account shall also provide adequate funds for permitting and implementation of off-site disposal of 100% of the wastewater generated by those dwellings to be serviced by the proposed facility for at least one year upon determination by the Town that said disposal is preferred to the operation of the facility.
 - l. Actual copies of all required approvals for the facility from other permitting and review agencies as defined in paragraph 2 C of this subsection. Required prior approvals shall include but not necessarily be limited to all those from the Sudbury Board of Health, Sudbury Conservation Commission, Massachusetts Department of Environmental Quality Engineering and Massachusetts Environmental Policy Act Unit.
 - m. Such other information as may be deemed necessary by the Planning Board.
6. Application Completeness - The Planning Board shall review the special permit application for completeness and shall notify the applicant of its determination of completeness within 45 days of receipt of the information required under section 5 of this subsection. The Board shall either certify the application as complete or return the application as incomplete, indicating the deficiencies which must be remedied in order for it to be considered complete.
7. Public Hearing and Decision - The Planning Board shall hold a public hearing no later than 65 days after the certification of an application as complete. The Planning Board may continue a public hearing under this section if it finds that such continuance is necessary to allow the petitioner or applicant to provide information of an unusual nature and which is not otherwise required as part of the special permit. The Planning Board shall issue a decision to approve, deny, or conditionally approve the special permit and shall file a written report of its final action with the Town Clerk no later than 90 days following the close of the public hearing. Failure by the Planning Board to take final action and to file a written report of its action with the Town

Clerk within 90 days following the public hearing shall be deemed a grant of the permit applied for.

8. Planning Board Action - The Planning Board shall not grant a special permit for a Residential Wastewater Treatment Facility unless it finds that the applicant has clearly demonstrated beyond a reasonable doubt all of the following:
 - a. That the proposed facility would comply with all of the requirements of section 3 of this subsection;
 - b. After expert, third-party review of the certified application that the impacts of the proposed facility in each category would be superior to those of the Title V Alternative;
 - c. After expert, third-party review of the certified application, that the facility would be designed and operated so as to preclude any events of major criticality and likely or frequent probability as defined under paragraph 2 E of this subsection;
 - d. After expert, third-party review of the certified application, that the facility would be designed and operated so as to preclude or fully mitigate any events of major criticality and rare probability as defined under paragraph 2 F of this subsection;
 - e. That each of the required plans under section 5 is fully adequate and consistent with broadly accepted, good engineering practice;
 - f. That each of the required descriptions and guarantees of institutional/legal arrangements under section 5 is fully adequate;
 - g. That each of the required bonding and financial guarantees under section 5 is fully adequate;
 - h. That each of the required approvals under section 5 is in place.
8. Severability - If any provision of this subsection is held invalid, all other provisions shall remain effective.
9. Effective Date - This subsection shall be effective immediately upon its adoption and any required certification as valid by the Attorney General.

Submitted by Petition - Residential Wastewater Treatment Facilities Advisory Committee (RWTFAC). (Two-thirds vote required.)

PETITIONERS (RWTFAC) REPORT: Although submitted by petition, this article was prepared by the Residential Wastewater Treatment Facilities Advisory Committee. Small scale sewage treatment plants have been proposed for subdivisions in Sudbury. Although the Town has been advised that such plants are not an allowed use under the current zoning bylaw and another article before this annual Town Meeting seeks to remove any doubt about this prohibition, the Committee believes that the Town should be prepared to regulate their use should a court decision rule that they be allowed.

The bylaw proposed here seeks to regulate small scale sewage treatment plants through a special permit process administered by the Planning Board. The bylaw sets forth technical data and information applicants must provide, establishes fiscal responsibility criteria, third party review of plans, filing fees, and specific procedures and criteria for review by Town boards.

The Committee believes the proposed bylaw provides an extra measure of protection for the Town and recommends its adoption.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

PLANNING BOARD REPORT: The Planning Board will report at Town Meeting to allow input from public hearing not yet held by warrant press time.

TOWN COUNSEL OPINION: Town Counsel will report at Town Meeting.

ARTICLE 69. AMEND ZONING BYLAW, ART. IX, IV, E - SENIOR
RESIDENTIAL DEVELOPMENT

To see if the Town will vote to amend Article IX, Section IV of the Zoning Bylaw by adding a new subsection E entitled, "Senior Residential Development", as follows:

"E. SENIOR RESIDENTIAL DEVELOPMENT - The Planning Board may grant a special permit for a Senior Residential Development in Residence Districts (including without limitation Single Residence Districts), Business Districts, Limited Business Districts, Industrial Districts, Limited Industrial Districts, Research Districts and Industrial Park Districts, for single family detached dwellings, multi-unit attached dwellings, nursing homes, and/or all other forms of dwellings and accessory facilities and structures for use by or for senior individuals, including without limitation, waste treatment plants and parking facilities, subject to the following provisions:

1. Purpose - The purpose of Senior Residential Development is to allow a retirement community for senior individuals, containing types of housing and facilities and a community which are unavailable in Single Residence Districts, Cluster Development or otherwise, including without limitation (a) to afford relief from the physical, economic and emotional stress associated with maintenance and care of traditional detached single family dwellings; (b) to provide dependent and/or independent living facilities; (c) to afford a life style of independence; (d) to meet established existing and future needs for housing and ancillary services and facilities; (e) to provide recreational facilities, cultural facilities, library facilities, meeting facilities, central dining facilities, and nursing home facilities; and (f) to provide on-site ancillary services.
2. Rules and Regulations and Fees - The Planning Board shall adopt, and from time to time amend, Rules and Regulations and Fees

consistent with the provisions of this bylaw, Chapter 40A of the General Laws and other applicable provisions of the General Laws, and shall file a copy of said Rules and Regulations and Fees with the Town Clerk. Such Rules shall prescribe as a minimum the size, form, contents, style and number of copies of plans and specifications, the town boards or agencies from which the Planning Board shall request written reports, and the procedure for submission and approval of a Senior Residential Development special permit.

3. Residents - Each resident of the Senior Residential Development shall be restricted to (a) being a person at least fifty-five (55) years of age, or (b) while living with such person, being such person's spouse of any age or someone of any age who regularly provides health care services to such person.
4. Senior Residential Development Standards - Where the requirements of Senior Residential Development differ from or conflict with the requirements of Article IX, Section IV, subsection B or any other provisions of the Zoning Bylaw, the requirements of this Senior Residential Development shall prevail. The following standards shall apply to all Senior Residential Developments:
 - a. Minimum Tract Size - A Senior Residential Development shall be located upon a single tract in common ownership or to be transferred into common ownership with definite boundaries ascertainable from a recorded deed or recorded plan, having an area of at least twenty (20) acres.
 - b. Area Coverage Restrictions -
 - (1) Structures - The maximum coverage of all buildings and structures, excluding sanitation and waste treatment facilities, shall not exceed fifteen (15%) percent of the total acreage of the tract. Not included in said fifteen (15%) percent maximum coverage are roadways, walks and paved parking areas.
 - (2) Paved Areas - The maximum coverage of all paved areas shall not exceed ten (10%) percent of the total acreage of the tract.
 - c. Minimum Perimeter Buffer - One Hundred (100) feet from the overall perimeter boundary which shall serve as a buffer between the Senior Residential Development and the surrounding properties. Within said perimeter buffer area, the land and natural growth shall not be disturbed, and no building, structure, roads or parking areas shall be permitted, except (i) to remove overgrowth, or dead or diseased growth, (ii) to install fences, walls and/or gates, (iii) to install and maintain underground wiring, pipes, drains, conduits and utility services, (iv) to install and maintain underground septic systems, (v) to provide access and egress from roads at the entrances only, (vi) to provide walks, (vii) to provide low

lighting, entranceway lighting and sitting benches, (viii) to provide one sign per entranceway and lighting therefor, and (ix) to provide other and/or additional landscaping and natural screening.

- d. Setbacks - Except for the Minimum Perimeter Buffer, there shall be no (i) minimum front yard setback, (ii) minimum side yard setback, (iii) minimum rear yard setback, and (iv) frontage except as set forth in the next subsection.
 - e. Frontage - There shall be a requirement of a fifty (50) foot wide entrance to the tract on a public way or private way for access/egress, which may be satisfied by having such frontage for such use on the tract, by obtaining an easement for the entrance to said way, or by a combination of frontage and easement.
 - f. Height/Stories - The maximum height of any building or structure (exclusive of ornamental features used for architectural or aesthetic reasons which are approved by the Planning Board) shall not exceed forty-five (45) feet above the highest point of the finished ground level adjoining the entire building, and no building or structure shall exceed three (3) stories above the highest point of the finished ground level adjoining the entire building.
5. Open Space - There shall be permitted on the land open space for conservation, agriculture, outdoor recreation and park purposes.
 6. Conservation Land - Subject to consent of the owner of the tract, a portion or portions of the land may be restricted by an easement for conservation purposes and/or conveyed to the Town of Sudbury as conservation land as a condition to the special permit approval where necessary to protect the surrounding area. Any such land restricted by an easement for conservation purposes and/or conveyed to the Town of Sudbury as conservation land shall for purposes of Minimum Tract Size and Area Coverage Restrictions, at all times be deemed to be part of the tract, and when situated in said perimeter buffer shall be deemed to be part of the Minimum Perimeter Buffer.
 7. Entrances - A maximum of two (2) entrances for ingress/egress, plus one additional emergency only entrance for ingress/egress.
 8. Utilities - All utilities shall be placed underground.
 9. Waste Treatment Facilities - In the event a waste treatment plant or similar facilities are included in the application for a Senior Residential Development or are otherwise required, the special permit shall specifically include in any approval such waste treatment plant or similar facilities, and no other approval, permit or variance shall be required from the Board of Appeals or Board of Selectmen for such waste treatment plant or similar facilities.
 10. Site Plan - Site Plan approval for the Senior Residential Development shall be issued by the Planning Board as part of the special permit, and no other site plan approval shall be required from the Board of Selectmen.

11. Nursing Homes - When nursing homes are situated in a Senior Residential Development, approval for the nursing homes shall be issued by the Planning Board as part of the special permit, and no permit for such use shall be required from the Board of Appeals under Section III. A.d. of the Zoning Bylaw.
12. Screening - The Planning Board may impose additional reasonable screening requirements to protect the surrounding properties which abut the Senior Residential Development.
13. Permitted Uses -
 - a. Congregate care and independent living residential facilities.
 - b. Nursing home.
 - c. Recreational facilities, cultural facilities, exercise facilities, library facilities, meeting facilities, central dining facilities, lounge facilities and parking facilities.
 - d. To provide on-site facilities for services to the residents of the Senior Residential Development, including without limitation, medical services, dental services, housekeeping services, linen services, physical therapy services, nutritional services, transportation services, ambulance services and other similar or ancillary services and facilities specifically intended for said residents.
 - e. Ancillary facilities for the sale of services and merchandise for the on-site residents, employees, guests and visiting senior individuals, including without limitation, gift shops, beauty salons, barber shops, flower shops, automatic teller machines, doctor and dentist offices and physical therapist offices, provided however all entrances (except for emergency entrances) for said ancillary facilities shall be situated inside the building which contains same.
 - f. Senior individuals who are not residents of the Senior Residential Development shall be permitted to use the facilities and services at the Senior Residential Development to the extent permitted by the owner of the tract.
 - g. Administrative, operations and maintenance facilities for the conduct of the permitted uses.
14. Parking -
 - a. Nursing home
 - (1) no parking spaces are required for nursing home residents;
 - (2) one parking space shall be required for guests for each 10 authorized beds for a nursing home;
 - (3) one parking space shall be required for staff and employees for each 3 authorized beds for a nursing home;

b. Residential units (other than nursing home)

- (1) one parking space shall be required for each 2 residential units;
- (2) one parking space shall be required for guests for each 8 residential units; and
- (3) one parking space shall be required for staff and employees for each 10 residential units.

15. Signs - At each entranceway to the tract, without any setback requirements, one dignified sign may be placed which identifies the name chosen by the applicant for the development, subject to the approval by the Planning Board, the size, dimensions and type of sign and type of lighting for the sign to be subject to the approval of the Planning Board, considering the surrounding property in the vicinity of said entranceway, and no other approval for the sign and lighting therefor shall be required of any other board or authority, including without limitation the Sign Review Board or Board of Appeals. Such sign approval may be included in the special permit from the Planning Board.

16. Application for a Special Permit - Any person who desires a special permit for a Senior Residential Development shall submit a written application to the Planning Board; each such application shall be accompanied by:

a. A "Senior Residential Development Site Plan" showing, as a minimum, all of the information required for a definitive subdivision plan, where applicable, as specified in the Town of Sudbury, Subdivision Rules and Regulations, as amended, and showing the following additional information: soil characteristics as shown on Soil Conservation Service Maps, resource areas as defined by M.G.L., Chapter 131, Section 40 (The Wetlands Protection Act), including the delineation of the official wetland area boundaries as accepted by the Sudbury Conservation Commission; existing floodplain boundary lines; proposed location of buildings and structures, 100 foot perimeter buffer line of the Minimum Perimeter Buffer, parking spaces, road, walks, entrances (including any emergency entrances) lighting, signs, proposed and existing wells and septic systems, proposed waste treatment facilities, existing and proposed grades of the land, existing perimeter of trees; proposed landscape features (such as fences, walks, planting areas, type, size and location of planting materials, methods to be employed for screening).

b. Reports from Town Board or Agencies - The Planning Board shall transmit forthwith a copy of the application and plan(s) to the Board of Selectmen, Board of Health, Conservation Commission, Engineering Department, Design Review Board, Recreation Commission, Historic Districts Commission, Building Inspector, Fire Department, Highway Surveyor, Tree Warden and the Sudbury Water District. Failure of any such board or agency to make a written recommendation or submit a written report within 35 days of receipt of the application shall be deemed a lack of opposition.

- c. Public Hearing and Decision - The Planning Board shall hold a public hearing no later than 65 days after the filing of an application. The Planning Board shall have the power to continue a public hearing under this section if it finds that such continuance is necessary to allow the petitioner or applicant to provide information of an unusual nature and which is not otherwise required as part of the special permit application. The Planning Board shall issue a decision and shall file a written report of its final action with the Town Clerk no later than 90 days following the close of the public hearing. Failure by the Planning Board to take final action upon an application for the special permit and to file a written report of its action with the Town Clerk within 90 days following the public hearing shall be deemed a grant of the permit applied for.
 - d. Planning Board Action - The Planning Board shall not grant a special permit for a Senior Residential Development unless it finds that: (i) the Senior Residential Development complies with the purposes and provisions of a Senior Residential Development; and (ii) the granting of the special permit would not result in detriment to the health, safety and welfare of the neighborhood or the Town.
- 17. Changes of Senior Residential Development Plan - Any change in the footprint of the buildings or structures, layout of roads, and any significant changes in any conditions stated in the original special permit shall require that a new or amended special permit be issued in accordance with the provisions of this bylaw.
 - 18. Compliance with Other Rules and Regulations - Except as otherwise specifically provided herein, nothing contained herein shall in any way exempt a proposed Senior Residential Development from compliance with other applicable provisions of these bylaws or the Rules and Regulations of the Planning Board.
 - 19. Time Limitation on Senior Residential Development Special Permit - A Senior Residential Development special permit shall lapse upon a finding by the Planning Board at a public hearing that a substantial use thereof has not been commenced except for good cause, within two years from the date of grant thereof; otherwise the special permit shall be effective in perpetuity, shall not require extension, reapplication or renewal, and shall run with the land of the applicant.
 - 20. Effective Date of Special Permit - No special permit or modification shall take effect until a copy of the decision has been recorded in the Middlesex South District Registry of Deeds. Such decision shall bear the certification of the Town Clerk that 20 days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed, or that if such an appeal has been filed, that it has been dismissed or denied.";

or act on anything relative thereto.

Submitted by Petition.

(Two-thirds vote required.)

PETITIONERS REPORT: The bylaw amendment is intended to create a retirement community development for senior residents, by special permit from the Planning Board, in all districts (including Single Residence Districts) containing all forms of dwellings and accessory facilities, including without limitation, multi-unit dwellings and nursing home facilities, and including without limitation, recreational, cultural, exercise, library, meeting, central dining and lounge facilities, as well as facilities for ancillary services.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: Recommend disapproval.

PLANNING BOARD REPORT: The Planning Board will report at Town Meeting to allow input from public hearing not yet held by warrant press time.

TOWN COUNSEL OPINION: This article requires amendment of subsection 16.c to conform to M.G.L. c.40A, §9, as most recently amended by Chapter 498 of the Acts of 1987. If so amended, it is my opinion that if properly moved and seconded, report is given by the Planning Board as required by law, and the motion is adopted by a two-thirds vote in favor of the motion, the proposed change will become a valid amendment to the Sudbury Zoning Bylaw after approval by the Attorney General.

ARTICLE 70. AMEND LINCOLN-SUDBURY REGIONAL AGREEMENT -
APPORTIONMENT; EXCESS AND DEFICIENCY FUND

To see if the Town will approve either or both of the following two Amendments to the Lincoln-Sudbury Regional School District Agreement, dated March, 1954, and as heretofore amended (the "Agreement"), as proposed by vote of the Lincoln-Sudbury Regional District School Committee:

AMENDMENT A

1. Section 5 of the Agreement is amended to read in its entirety as follows:

"5. Apportionment of Expenses and Other Items

(a) Apportionment of Costs

The several costs of construction and operation of the District and payments of principal of and interest on its bonds, notes and other obligations shall be apportioned to the member towns as follows: each member town's share for each fiscal period shall be determined by computing the ratio which the sum of its pupil enrollments in the regional school district on October 1 of the three years next preceding the start of such fiscal period bears to the sum of the pupil enrollments in the regional school district of all the member towns on October 1 of the same three years. The Treasurer of each member town shall pay to the Treasurer of the District the amount of such town's share of each installment of principal of and interest on bonds, notes and other obligations of the District at least thirty days before the due date thereof. The Treasurer of each member town shall pay to the Treasurer of the

District the amount of such town's apportioned and certified share of all other expenses in twelve equal installments on the tenth day of each month.

(b) Apportionment of State and Federal Aid

Any Federal, State or other aid or grants received by the District shall be credited by the District to its budgeted expenses, and the apportionment to the member towns under subpart (a) above shall be the net costs after the application of said aid or grants.

(c) Miscellaneous Income Defined

Miscellaneous Income shall include all income of the District other than the assessments paid by the member towns pursuant to subpart (a) above and any Federal, State or other aid or grants."

2. Section 7 of the Agreement is amended by substituting for the last sentence of the first paragraph the following:

"The withdrawing town's share of future maturing principal and interest shall be computed in accordance with Section 5(a), with credit for State aid as provided in Section 5(b), at the time of giving of such notice."

3. Section 9 of the Agreement is amended as follows:

(A) By amending the last sentence of the third-to-last paragraph to read as follows:

"Not later than forty-five days prior to the earliest date on which the business session of the annual town meeting of any member town is to be held, but in no event later than March 31 of such period (provided that said budget need not be adopted earlier than February 1), the Committee shall adopt a budget for the ensuing fiscal period and apportion the amount thereof between the member towns according to their respective apportionment ratios as set forth in Section 5(a)."

(B) By striking out the next-to-last paragraph in its entirety.

4. This Amendment A shall take effect with respect to the first fiscal period of the District beginning at least six months after the approval of this Amendment A by each of the member towns, and each fiscal period thereafter.

AMENDMENT B

1. Section 5 of the Agreement is amended by adding at the end the following subsection:

"Excess and Deficiency Fund

All unexpended funds, or any portion thereof, may, in the discretion of the Regional District School Committee and with the written approval of the Finance Committees of each of the

member towns, be paid into the Excess and Deficiency Fund provided, however, that at no time shall the total of the sums in the Excess and Deficiency Fund exceed five percent (5%) of the total District budget for the succeeding fiscal period. Monies in the Excess and Deficiency Fund may be expended, in the discretion of the Regional District School Committee, for any of the following purposes:

- (i) to meet extraordinary and non-recurring costs attributable to the operation and maintenance of the Regional District School;
- (ii) to pay any other extraordinary costs when amounts from the sources described in subparts (a), (b), and (c) above are insufficient to pay such costs; or
- (iii) to reduce the assessment to the member towns in any fiscal period.

Any such reduction of the assessment shall be in accordance with the apportionment ratios set forth in subpart (a) above for the fiscal period in which such reduction occurs. Monies paid into the Excess and Deficiency Fund shall be deemed received and reserved for special purposes within the meaning of Section 9."

2. This Amendment B shall take effect with respect to the first fiscal period of the District beginning at least six months after the approval of this Amendment B by each of the member towns, and each fiscal period thereafter.

or act on anything relative thereto.

Submitted by the Board of Selectmen on behalf of the Lincoln-Sudbury Regional District School Committee (LSRDSC).

LSRDSC REPORT: The proposed amendment to the Lincoln-Sudbury Regional Agreement changes the formula for determining the fiscal assessment to each Town.

The purpose of the amendment is to ease the wide fluctuations in the assessment to each Town that can occur from year to year under the current formula. These swings interfere with the ability of the Towns to plan, and create conflicts with other requests for Town monies.

There are two parts to this amendment.

1. THE THREE-YEAR AVERAGE. Under the proposed amendment, student enrollment would continue to be the basis for apportioning costs to the two towns. However, a figure derived from the average of the prior three years would be the ratio used, rather than one from each single year. This would not eliminate year-to-year fluctuations in assessments, but would help in making them less severe.
2. THE EXCESS AND DEFICIENCY FUND. The proposed amendment calls for the establishment of an Excess and Deficiency Fund to be funded over time from unexpended District funds. Whereas currently all money not expended by the District must be returned to the Towns at the end of

each year, this amendment would allow a Fund to hold unexpended money up to a limit of 5% of the gross budget. The proposed amendment requires that written approval of the Finance Committee in each town be given before funding can occur. The Fund would be available to meet extraordinary and non-recurring uncontrollable costs or other financial fluctuations that cannot be met by the resources of one or both of the Towns. The elementary school has access to Town funds reserved for such purposes but the Regional School does not. This Fund would not be used as contingency fund to finance year-to-year operating costs normally associated with the budget process.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: The proposed amendments will not only simplify the regional school district's assessment formula, but more importantly will help reduce the annual fluctuations which can take place in the town's assessment. Such a result will improve the town's ability to manage its budget process. Recommend approval.

ARTICLE 71. AMEND LINCOLN-SUDBURY REGIONAL AGREEMENT - WRITTEN BALLOT

To see if the Town will approve the following Amendment to the Lincoln-Sudbury Regional School District Agreement, dated March, 1954, and as heretofore amended (the "Agreement"), as proposed by vote of the Lincoln-Sudbury Regional District School Committee:

AMENDMENT

1. Section 8 of the Agreement is amended by deleting the sentence, "Any vote to adopt or reject the proposal shall be by a written ballot."
2. This Amendment shall take effect with respect to the first fiscal period of the District beginning after the approval of this Amendment by each of the member towns, and each fiscal period thereafter.

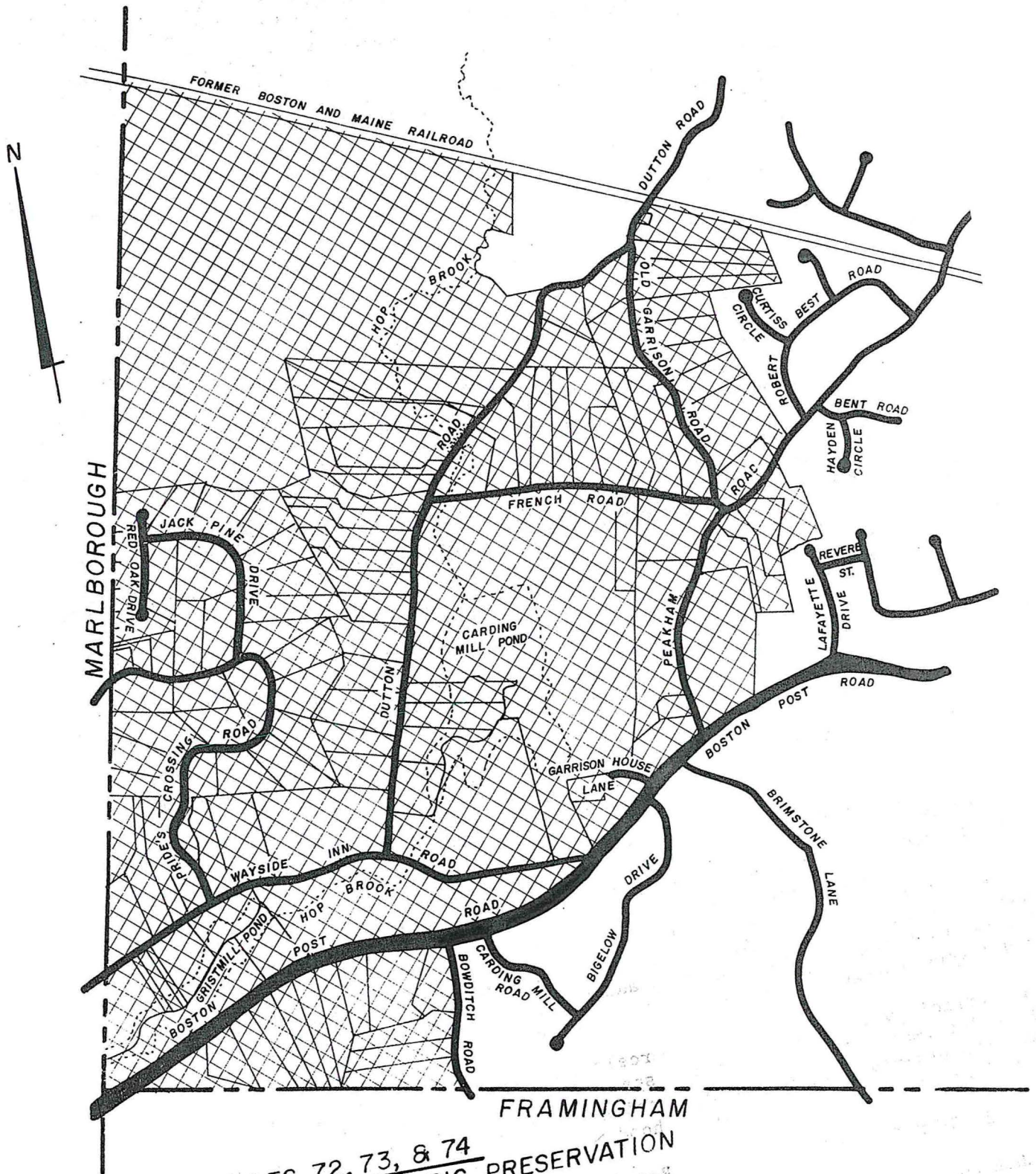
or act on anything relative thereto.

Submitted by the Board of Selectmen on behalf of the Lincoln-Sudbury Regional District School Committee (LSRDSC).

LSRDSC REPORT: The amendment to eliminate the need for paper ballots when considering changes to the Regional Agreement is in the interest of the efficient and open operation of Town Meetings.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.



ARTICLES 72, 73, & 74
WAYSIDE INN HISTORIC PRESERVATION
RESIDENTIAL ZONE

ARTICLE 72. AMEND ZONING BYLAW, ARTICLE IX,II,A,1; III,A,1; IV,B -
WAYSIDE INN HISTORIC PRESERVATION RESIDENTIAL ZONE

To see if the Town will vote to amend Article IX of the Town of Sudbury Bylaws, the Zoning Bylaw, as follows:

- A. By adding to Section II.A.1, Single Residence Districts, the following:
- "c. Wayside Inn Historic Preservation Residential Zone";
- B. By deleting from the first line of Section III.A.1 "'B"--, and "C'", and substituting therefore "'C"--, and Wayside Inn Historic Preservation Zone";
- C. By adding to Section IV.B., Schedule of Intensity Regulations, below "Single Res. "C'" in the District Designation column, "Single Res. Wayside Inn Historic Preservation Zone" and by inserting therefor in the columns of "Minimum Lot Dimensions" through "Maximum Building Height" the following numbers and words to read as follows:

en. se	District Designation	Minimum lot Dimensions		Max Bldg Coverage	Minimum Required Yard Dimensions			Minimum Required Setback Distance		Maximum Bldg Height (3)	
		Area Sq ft	F'ntge Any st or way	Percent of lot	Frnt (2) Depth	side (width)	Rear (Depth)	Street Center line	Res. zone Bound (side-rear)	Stories	Feet
ns.	Single Res. Wayside Inn Historic Preservation Zone	5 AC	210	40	35	20	30	65	None	2½	35

or act on anything relative thereto.

Submitted by Petition.

(Two-thirds vote required.)

PETITIONERS REPORT: The article is intended to create a new residential zone, the Wayside Inn Historic Preservation Residential Zone.

Five-acre residential deed restrictions as set by the Ford Foundation for certain parcels in the Wayside Inn area are due to expire December 31, 1996. On expiration, the district would automatically revert to District "C" zoning requirements of 60,000 square feet.

This article would restrict the parcels similarly in perpetuity. Continued large-lot restriction, along with specific developmental restrictions, would have the prolonged effect of preserving the rural and historic character so prized in the Wayside Inn neighborhood.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

PLANNING BOARD REPORT: The Planning Board will report at Town Meeting to allow input from public hearing not yet held by warrant press time.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 73. AMEND ZONING BYLAW, ARTICLE IX, II, B - LOCATION
OF WAYSIDE INN HISTORIC PRESERVATION RESIDENTIAL ZONE

To see if the Town will vote to amend Section II.B. of Article IX of the Town of Sudbury Bylaws (The Zoning Bylaw), Location of Residence Districts or Zones, by adding thereto the following Wayside Inn Historic Preservation Residential Zone, comprising property currently in Residential Zone C-1, said zone bounded and described as follows:

"Beginning at a point on the Sudbury Town Line, said point being the Town Corner common to Sudbury, Framingham, and Marlborough;

Thence northerly along the Sudbury-Marlborough Town Line to a point on the centerline of the former Boston and Maine Railroad right-of-way, a distance of 10,150 feet, more or less;

Thence southeasterly along said railroad right-of-way to a point opposite the northeasterly corner of land now or formerly of Massachusetts Federation of Women's Clubs, a distance of 4,110 feet, more or less;

Thence southerly, westerly, southerly and easterly along said land of Massachusetts Federation of Women's Clubs to a point on the westerly sideline of Dutton Road, a distance of 2,340 feet, more or less;

Thence northeasterly along Dutton Road to a point on the centerline of the former Boston and Maine Railroad right-of-way, a distance of 1,520 feet, more or less;

Thence southeasterly along the railroad right-of-way to a point opposite the northwesterly corner of land shown as A. J. Lane Construction Corporation on plan number 25 of 1971, recorded with the Middlesex South Registry of Deeds, a distance of 1,160 feet, more or less;

Thence southerly, westerly, and southerly along said land of Lane to a point on the northerly sideline of Peakham Road, a distance of 3,005 feet, more or less;

Thence southwesterly along Peakham Road to a point opposite the northwesterly corner of lot 1A shown on plan number 743 of 1960, recorded with the Middlesex South Registry of Deeds, a distance of 300 feet, more or less;

Thence southerly, crossing Peakham Road, a distance of 33 feet, more or less;

Thence southerly and easterly along said lot 1A to land formerly of Griffin, as shown on said plan number 743, a distance of 414 feet, more or less;

Thence southerly along land formerly of Griffin to the brook, a distance of 600 feet, more or less;

Thence westerly along said brook to a point on the easterly property line of lot 3-I shown on plan 1977 of 1946, recorded with the Middlesex South District Registry of Deeds, a distance of 523 feet, more or less;

Thence southerly, westerly, and southerly along said lot 3-I to a point on the northerly sideline of Boston Post Road, a distance of 1,800 feet, more or less;

Thence westerly along Boston Post Road, crossing the Wayside Inn Road, to a point opposite the westerly sideline of Bowditch Road, a distance of 4,030 feet, more or less;

Thence southerly, crossing Boston Post Road, and running along the westerly sideline of Bowditch Road to a point on the Sudbury-Framingham Town Line, a distance of 1,600 feet, more or less;

Thence westerly along said Town Line to the point of beginning, a distance of 3,650 feet, more or less.";

or act on anything relative thereto.

Submitted by Petition.

(Two-thirds vote required.)

PETITIONERS REPORT: The article is intended to delineate the parcels, and outline the boundaries of, a new residential zoning district: the Wayside Inn Historic Preservation Residential Zone.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

PLANNING BOARD REPORT: The Planning Board will report at Town Meeting to allow input from public hearing not yet held by warrant press time.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 74. AMEND ZONING BYLAW, ARTICLE IX, IV, D - CLUSTER DEVELOPMENT
IN WAYSIDE INN HISTORIC PRESERVATION RESIDENTIAL ZONE

To see if the Town will vote to amend Article IX of the Town of Sudbury Bylaws, the Zoning Bylaw, as follows:

By making the following changes to Section IV.D., Cluster Development:

- Deleting the first sentence thereof and substituting therefor the following:

"The Planning Board may grant a Special Permit for a Cluster Development in Single Residence "A", Single Residence "C" and the Wayside Inn Historic Preservation Residential Zone Districts, for single family detached dwellings and accessory structures, subject to the following:";

- Deleting the first two sentences of Subsection 3.C.1) and substituting therefor the following:

"1) Minimum Lot Area: except as provided below in this paragraph, the minimum area of building lots shall be as follows:

Single Residence "A" = 20,000 sq. feet

Single Residence "C" = 30,000 sq. feet

Wayside Inn Historic Preservation Residential Zone = 2 Acres

In instances where a tract overlaps Residence Zones "A", "C" or the Wayside Inn Historic Preservation Zone, the size and number of allowable lots shall be determined independently within each zone as follows: The minimum lot size in the cluster development shall be determined by multiplying the number of lots in Residence Zone "A" by 20,000 square feet, in Residence Zone "C" by 30,000 square feet and in the Wayside Inn Historic Preservation Zone by 2 acres, adding the areas and dividing by the total number of lots.";

- Inserting the following at the end of the first sentence of Subsection 3.C.2), Frontage: "And Wayside Inn Historic Preservation Residential Zone";
- Rewording Subsections 3.C.3), 4), 5) and 6) as follows:

"3) Minimum Front Yard Setback:

Residence "A" and "C"

not less than 35 feet

Wayside Inn Historic Preservation Zone

not less than 50 feet

4) Minimum Side Yard Setback:

Residence "A" and "C"

not less than 20 feet

Wayside Inn Historic Preservation Zone

not less than 30 feet

5) Minimum Rear Yard Setback:

Residence "A" and "C"

not less than 30 feet

Wayside Inn Historic Preservation Zone

not less than 30 feet

6) Minimum Lot Width:

Residence "A" and "C"

no less than 50 feet

Wayside Inn Historic Preservation Zone

no less than 50 feet";

or act on anything relative thereto.

Submitted by Petition.

(Two-thirds vote required.)

PETITIONERS REPORT: The article is intended to permit cluster development in a newly-created residential zone, the Wayside Inn Historic Preservation Residential Zone, and to enumerate the minimum lot restrictions required in that area.

Clustered residential development would have the visual effect of preserving open space, thereby continuing to preserve the prized rural and historic character of the Wayside Inn neighborhood.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: The Finance Committee will report at Town Meeting.

PLANNING BOARD REPORT: The Planning Board will report at Town Meeting to allow input from public hearing not yet held by warrant press time.

TOWN COUNSEL OPINION: See opinion at the end of this warrant.

ARTICLE 75. SPECIAL ACT - SHAHIAN CONSERVATION RESTRICTION AND
 WALKWAY EASEMENT

To see if the Town will vote to petition the General Court to pass legislation enabling the release of a certain portion of a Conservation Restriction not exceeding five hundred fifty (550) square feet embodying a portion of a pedestrian walkway easement in exchange for a grant of a Conservation Restriction and Pedestrian Walkway Easement, not exceeding five hundred fifty (550) square feet; such petition to be submitted as follows:

An Act to Amend a Certain Conservation Restriction and Pedestrian Walkway Easement.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

"Section 1. The Conservation Restriction and Pedestrian Walkway Easement granted to the Town of Sudbury by the Cooperative Bank of Concord on May 23, 1983 and May 26, 1983 and recorded at Middlesex South Registry of Deeds, Book 15351, Page 240 and Book 15074, Page 366 respectively shall be released to the extent shown as 'Area Z' on a plan entitled 'Plan of Easement in Sudbury, Mass., Prepared for the Town of Sudbury,' Scale 1" = 40', dated March, 1987 and revised June 9, 1987 by Charles A. Perkins Co., Inc. Civil Engineers & Surveyors, numbered Plan No. S-5023, and recorded or to be recorded with the Middlesex South District Registry of Deeds.

In consideration for the release of said Conservation Restriction and Pedestrian Walkway Easement, David M. and Mary M. Shahian, owners of said parcel of land, hereby grant to the Town of Sudbury, a municipal corporation located in Middlesex County, Massachusetts, with Quitclaim Covenants, a conservation restriction on the portion of said parcel shown as area 'Y' on said plan (the 'Restricted Area').

The purpose of this restriction is for the protection of the natural and watershed resources of said Town under G.L. Ch. 40, Section 8C, and it shall be administered by its Conservation Commission.

David M. and Mary M. Shahian further grant to said Town and the general public an easement to pass and repass on foot only upon that part of said Restricted Area and Part of Lot 6 shown on said Plan as 'Proposed Pedestrian Walkway Easement' (the 'Pedestrian Walkway') and upon that part of 'EASEMENT A' as shown on said Plan, which lies west of the intersection of said PEDESTRIAN WALKWAY with said EASEMENT A.

Section 2. This act shall take effect upon its passage.";

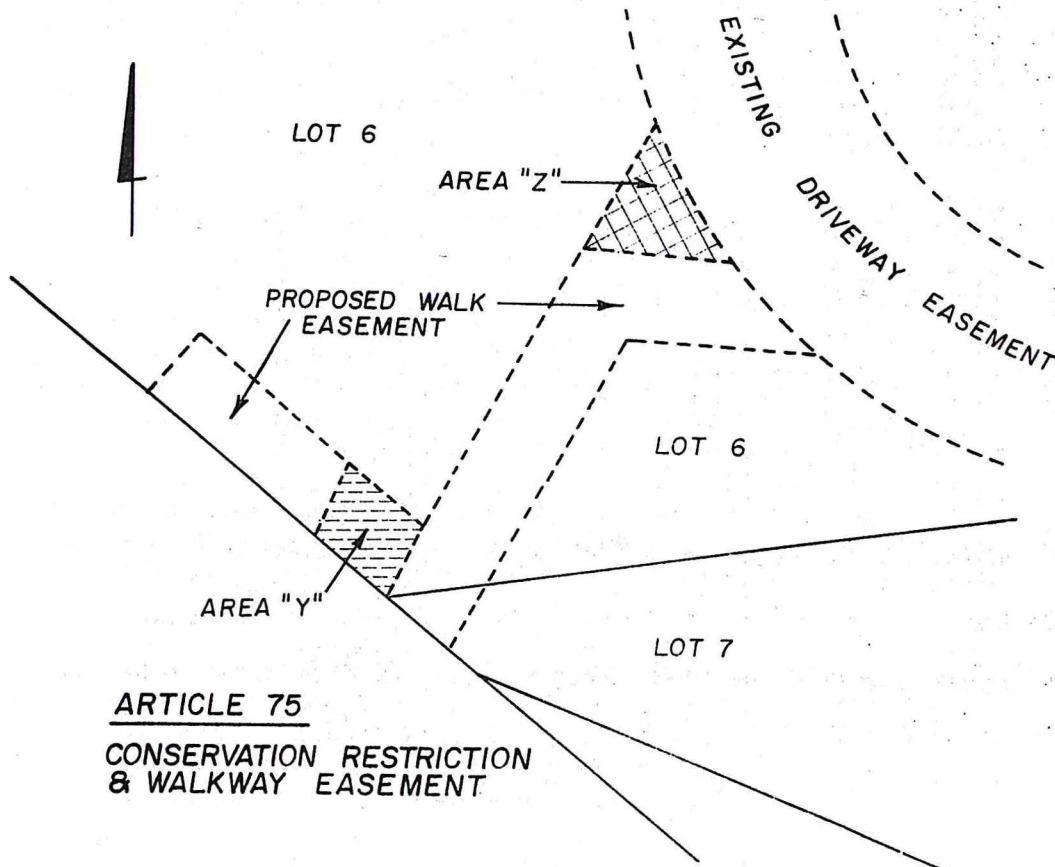
or act on anything relative thereto.

Submitted by Petition.

PETITIONERS REPORT: This article seeks to remedy a very minor, yet technical encroachment of less than fifty (50) square feet of property on a corner of a walkway within a Conservation Easement off Crescent Lane in Sudbury. In 1984, the land in question was developed by a builder with financing from the Concord Cooperative Bank. As part of the development plan, the Bank agreed to and did grant a Conservation Easement on property abutting Lot #6 on Crescent Lane. The builder inadvertently constructed the driveway on Lot #6 with a small, less than fifty (50) square foot triangular area protruding onto a corner of a walkway easement in the Conservation Easement. Two cures are available: either relocate and redefine the driveway at an incredible cost that would exceed \$10,000 and do damage to the property, or to amend the original Conservation Easement, delete the fifty (50) square feet, and have the property owners, David and Mary Shahian, grant (give to the Town) additional land of theirs to be part of the Conservation Easement. The Conservation Commission, the Bank, the builder, the engineer and the property owners have all worked together to support this plan of action. The actual cost of the procedure is borne by the property owners, the Bank and the engineer; there will be no cost to the Town.

BOARD OF SELECTMEN POSITION: The Board will report at Town Meeting.

FINANCE COMMITTEE REPORT: Recommend approval.



TOWN COUNSEL OPINIONS:

It is the opinion of Town Counsel that, if the Bylaw amendments proposed in the following articles in the Warrant for the 1988 Annual Town Meeting are properly moved, seconded and adopted by a majority vote in favor of the motion, the proposed changes will become valid amendments to the Sudbury Bylaws:

Art. 3	Amend Bylaws, Art. XI	Personnel Bylaw
Art. 30	Amend Bylaws, Art. III,2	Town Report
Art. 34	Amend Bylaws, Art. I,1	Effective Date of Election
Art. 35	Amend Bylaws, Art. I,2	Time of Town Meeting
Art. 36	Amend Bylaws, Art. II,1	Warrant Closing Dates
	Art. III,10	Warrant Report
	Art. I,4	Notice of Meetings
Art. 37	Amend Bylaws, Art. II,8	Resolutions
Art. 38	Amend Bylaws, Art. II,11	Length of Speeches
Art. 39	Amend Bylaws, Art. II,13	Reconsideration
Art. 40	Amend Bylaws, Art. II,15	Legal Errors
Art. 41	Amend Bylaws, Art. II,16	Accounting Errors
Art. 42	Amend Bylaws, Art. V,25	Storage of Inflammable Fluids
Art. 43	Amend Bylaws, Art. V	Public Safety - Penalties
Art. 44	Amend Bylaws, Art. V(B)	Burglar Alarms - Penalty
Art. 47	Amend Bylaws, Art. V,14	Conduct in Public Areas, Enforcement
Art. 48	Amend Bylaws, Art. V,7	Open Burning/Littering
Art. 53	Amend Bylaws, Art. XI(A)	Council on Aging - Membership
Art. 65	Amend Bylaws, Art. V,16	Recreational Vehicles
Art. 66	Amend Bylaws, Art. V(C)	Smoking Prohibition

It is the opinion of Town Counsel that, if the Zoning Bylaw changes set forth in the following articles in the Warrant for the 1988 Annual Town Meeting are properly moved and seconded, reports are given by the Planning Board as required by law, and the motions are adopted by a two-thirds vote in favor of the motions, the proposed changes will become valid amendments to the Sudbury Zoning Bylaw after approval by the Attorney General:

Art. 45	Amend Zoning Bylaw, Art. IX,V,L	Unregistered Motor Vehicles - Penalty
Art. 46	Amend Zoning Bylaw, Art. IX,VI,D	Administration, Penalty
Art. 55	Amend Zoning Bylaw, Art. IX,V,A	Site Plan Special Permit - Applicability, Compliance, Interpretation
Art. 56	Amend Zoning Bylaw, Art. IX,III,A,2	Permitted Uses, Residence Districts - Single Accessory Dwelling Units
Art. 57	Amend Zoning Bylaw, Art. IX,III,A,1,b(4)	Permitted Uses, Residence Districts - Signs
Art. 58	Amend Zoning Bylaw, Art. IX,I,D,3	Non-conforming Buildings and Uses - Delete Hardship Clause
Art. 60	Amend Zoning Bylaw, Art. IX,IV,D,7	Cluster Development - Hearing and Decision
Art. 61	Amend Zoning Bylaw, Art. IX,V,A	Site Plan Special Permit - Hearing and Decision

Art. 67	Amend Zoning Bylaw, Art. IX,I	Prohibit Package Sewage Treatment Plants
Art. 72	Amend Zoning Bylaw, Art. IX,II,A,1 & III,A,I & IV,B	Wayside Inn Historic Preservation Residential Zone
Art. 73	Amend Zoning Bylaw, Art. IX,II,B	Location of Wayside Inn Historic Preservation Residential Zone
Art. 74	Amend Zoning Bylaw, Art. IX,IV,D	Cluster Development in Wayside Inn Historic Preservation Residential Zone

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And you are required to serve this Warrant by posting attested, printed copies thereof at the Town Hall and such other places as the Selectmen deem appropriate, but not less than three in each precinct, and not less than a total of twelve in the Town, at least seven days before the time appointed for such meeting.

Hereof fail not and make due return of this Warrant by your doing thereon to the Town Clerk, at or before the time of meeting aforesaid.

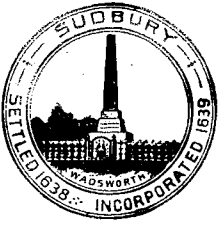
Given under our hands this hands this twenty-ninth day of February, one thousand nine hundred and eighty-eight.

SELECTMEN OF SUDBURY

Anne W. Donald

David A. Wallace

John C. Drobinski



TOWN OF SUDBURY
SPECIAL TOWN MEETING WARRANT
COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss.

To the Constables of the Town of Sudbury:

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Sudbury, qualified to vote in Town affairs, to meet at the Lincoln-Sudbury Regional High School Auditorium in said Town on Monday, April 4, 1988, at half past eight o'clock in the evening, then and there to act on the following articles:

STM ARTICLE 1. UNPAID BILLS

To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money to pay for any one or more of the following unpaid bills, incurred in previous fiscal years, totalling \$8,901.02:

\$8,327.52 to pay Nicholas Lombardi for Sick-Leave Buy-Back (Police)
573.50 to pay Framingham Orthopedic Associates, Inc. (Police);

or act on anything relative thereto.

Submitted by the Town Accountant.

(Four-fifths vote required.)

TOWN ACCOUNTANT REPORT: Invoices that are submitted for payment after the accounts are closed at the end of a fiscal year or payables for which there are insufficient funds (and which were not submitted for a Reserve Fund transfer) can only be paid by a vote of the Town Meeting, a Special Act of the Legislature, or a court judgment. This article is submitted at the Special Town Meeting to provide for immediate payment from available funds.

BOARD OF SELECTMEN POSITION: The Board supports this article.

FINANCE COMMITTEE REPORT: Recommend approval.

STM ARTICLE 2. FY88 POLICE PAID DETAIL

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$15,000, or any other sum, as an addition to line item 320-110, Police Salaries, voted by the 1987 Annual Town Meeting under Article 5 for Fiscal Year 1988;

or act on anything relative thereto.

Submitted by the Board of Selectmen.

BOARD OF SELECTMEN REPORT: It has been the practice for the Town to pay police officers for private paid detail work immediately, as worked. The outside party for whom the detail was worked then reimburses the Town. Due to untimely reimbursements, a running deficit has occurred in this account which must be funded to keep payments current and to balance the account at year end. The Police Chief and the Board of Selectmen support this article.

FINANCE COMMITTEE REPORT: Recommend disapproval.

STM ARTICLE 3. FY88 SALARIES

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$6,343, or any other sum, as additions to the following line items voted by the 1987 Annual Town Meeting under Article 5 for Fiscal Year 1988, as provided below:

504-100 Assistant Assessor's Salary	\$1,973
512-100 Town Planner's Salary	\$2,944
521-100 Town Accountant's Salary	\$1,426

or act on anything relative thereto.

Submitted by the Board of Selectmen.

BOARD OF SELECTMEN REPORT: The sums of money requested are required to supplement current year salary line items, in order to fund a negotiated union agreement which added these positions to the Sudbury Supervisory Association. The Board supports this article.

FINANCE COMMITTEE REPORT: The FY88 salaries for the positions of Town Accountant, Supervisor of Town Buildings, Assistant Assessor, Town Planner and Police Lieutenant were set and approved by the Town at the 1987 Annual Town Meeting with the Town's adoption of the amendment to Article XI of the Town of Sudbury Bylaws, "The Personnel Administration Plan".

The subsequent admission into the Sudbury Supervisory Association of the individuals holding these positions, and the resultant salary renegotiation which union membership brought with it, have resulted in four of the above positions being granted additional salary increases, over and above the step increases and cost of living adjustments budgeted at Town Meeting, of as much as \$2,944.

It is our belief that the Town ought to have the opportunity to voice its approval or disapproval of any negotiated contract increases. This is particularly important for mid-year salary increases involving positions where the Town has already voted a budget addressing those salaries.

With respect to the proposed salary changes, the Finance Committee is mindful of the generous salary increases which these positions have received over the past three years:

	FY85	FY86	FY87	FY88 (as voted)	FY88 (as proposed)
Town Accountant:	\$34,026	\$36,748	\$40,682	\$44,425	\$45,582
Supervisor of Town Buildings:	\$21,254	\$23,525	\$26,671	\$28,004	\$27,994
Assistant Assessor:	\$25,020	\$27,603	\$30,207	\$32,984	\$34,957
Town Planner:	\$25,000	\$26,500	\$31,414	\$34,304	\$37,248
Police Lieutenant:	-----	\$30,503	\$32,181	\$33,802	\$36,515

The proposed changes, with the exception of the position of Supervisor of Town Buildings which was essentially level funded, result in salary increases over FY87 of from 12% (Town Accountant) to 18.5% (Town Planner).

It is the opinion of the Finance Committee that the FY88 salaries which were set for these positions at the time of the 1987 Annual Town Meeting are a fair reflection of the relative market value of each individual position as set by the Personnel Board. We fail to see why an individual's election to remove himself from the Town's Classification and Salary Plan by joining the Supervisory Association should also result in an increase in his yearly compensation.

We accordingly recommend disapproval of the salary increases negotiated by these individuals with the Town following their admission into the Supervisory Association and recommend against the appropriation of the \$6,343 requested by this Article. Recommend disapproval.

STM ARTICLE 4. SCHOOL ENGINEERING AND ARCHITECTURAL SERVICES

To see if the Town will vote to raise and appropriate, or appropriate from available funds, \$750,000, or any other sum, to be expended under the direction of the Permanent Building Committee, for the purpose of obtaining engineering and architectural services, including preparation of plans, specifications, bidding documents and supervision of work, to implement the findings of the Sudbury School Committee regarding remodeling, reconstructing, constructing additional space, or making extraordinary repairs to existing school buildings and/or the construction of new school buildings; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by Sudbury School Committee. (Two-thirds vote required if bonded.)

SUDBURY SCHOOL COMMITTEE REPORT:

Need: Space for Increasing Student Enrollment

Enrollment projections developed during the summer of 1987 indicated that the student enrollment in the elementary grades (K-5) will increase significantly during the next ten years. The enrollment in the middle school grades (6-8)

will decrease slightly for a few years and then increase as well. The School Committee, therefore, established a Space Planning Committee to address the needs of an increasing student population. The School Committee directed the Space Planning Committee to:

- Verify and develop reliable ten-year enrollment projections;
- assess student capacity of the existing schools;
- devise and recommend plans for providing the needed space.

Chaired by James Flanagan, School Committee member, the Space Planning Committee was composed of parents, citizens, teachers, school administrators, and representatives from the Finance Committee and Long Range Planning Committee.

Process

The Space Planning Committee met throughout the fall and winter of 1987. They reviewed the report of the Mt. Vernon Group, educational planners hired by the School Committee. The Committee reviewed the enrollment projections completed by three independent demographers, all of whom projected an increase in the elementary (K-5) student enrollment of 38% by 1992 and 48% by 1996. Capacity of the existing school buildings was determined by reviewing maps and floor plans, and allocating space to classrooms, special subject programs (art, music, library, etc.) and student support programs (special education). The Space Planning Committee worked from the guidelines provided by the Sudbury School Committee:

- Maintain the current class size;
- maintain the current educational program.

The Space Planning Committee concluded that the projected enrollment will exceed the capacity of existing schools by 480 students.

The Space Planning Committee developed over a dozen alternative plans and analyzed each of them in terms of educational, financial and practical criteria. After considerable debate, discussion and public hearings a consensus was reached on a recommended plan.

Proposed Plan

The recommended plan adopted by the School Committee proposes expanding two schools (either Nixon or Loring, and Haynes) to provide a student capacity at each school of 500 while maintaining class size. The plan includes space for student support programs (special education) and special subjects (art, music, library, etc.) to maintain our current high quality educational program.

Requested Funding: Architectural Design

The requested bond issue will fund the architectural design and bid specifications. The architectural firm will work from the educational specifications determined by the School Committee to draw full blueprints and the construction specifications needed for bidding the construction project.

Conclusion

Following the receipt of construction bids and the award of a contract, the School Committee will request a bond issue to fund the full cost of the project. All costs of the school construction project, including architectural design, renovation of existing facilities, and interest on the bond are reimbursable at a rate of 64% by the School Building Assistance Bureau.

BOARD OF SELECTMEN POSITION: The Board supports this article. The Board also supports exempting from the provisions of Proposition 2½ the amounts required to pay for the bond issue to fund this article; (see Ballot Question No. 2 for the March 28, 1988 Annual Town Election at the beginning of this warrant).

FINANCE COMMITTEE REPORT: The Sudbury School system has estimated growth of 31% in K-5 class students by 1992, and of 47% by 1996. The Finance Committee accepts the need for school expansion. The tight limitations put on the Town's operating budget through constraints on the annual tax levy indicate that the funds requested for architectural and planning fees should be raised through bonding, and that the debt service be exempted from the Proposition 2½ annual calculation. If the architectural fees are bonded, and if the debt service on these funds are exempted by Town ballot, the Finance Committee recommends approval of STM Article 4.

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And you are required to serve this Warrant by posting attested, printed copies thereof at the Town Hall and such other places as the Selectmen deem appropriate, but not less than three in each precinct, and not less than a total of twelve in the Town, at least fourteen days before the time appointed for such meeting.

Hereof fail not and make due return of this Warrant by your doing thereon to the Town Clerk, at or before the time of meeting aforesaid.

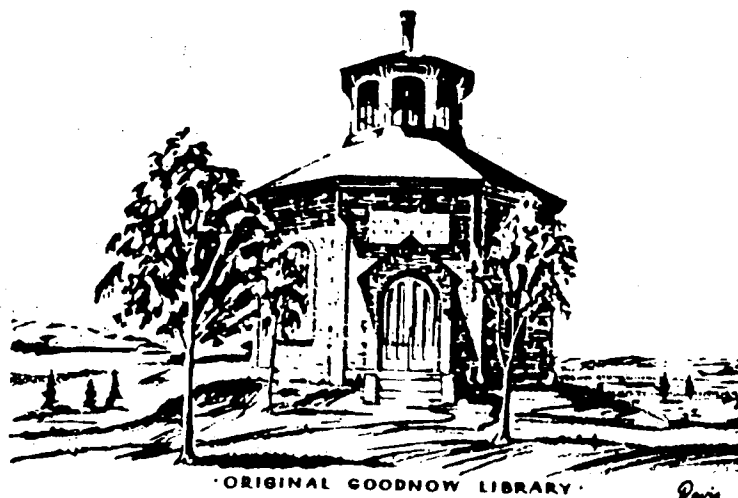
Given under our hands this twenty-ninth day of February, one thousand nine hundred and eighty-eight.

SELECTMEN OF SUDBURY

Anne W. Donald

David A. Wallace

John C. Drobinski



...A SPECIAL THANK YOU...to the many individuals, families, and businesses who have already contributed to the Challenge Grant Fund for Automation. This year, we are working to raise \$10,000 before June 30. So far pledges and actual receipts total more than \$7000. There is not an article on the warrant for the upcoming Annual Town Meeting to make up for a short fall in contributions. We must rely on the generosity of those who value the library, in order to meet the requirements of the challenge grant. All prior pledges and new contributions must be received by the June 30, 1988 deadline.

You may become a **Patron** if your total donation for the grant is \$100 or more, a **Sponsor** for a total of at least \$500, or a **Benefactor** for a total of at least \$1000.

We welcome and need your assistance in meeting our goals. Your donation NOW will demonstrate that you value the Library and its role in the educational and cultural life of Sudbury.

Your donation can be made by check to **The Goodnow Library Challenge Grant** and delivered or mailed to:

The Goodnow Library
21 Concord Road
Sudbury, MA 01776

In Support of the National Endowment for the Humanities Challenge Grant Project of the Goodnow Library for automation, I/we hereby give the sum of \$_____ (enclosed) to be used to match and to be expended for the purpose of the grant.

Name(s) _____ Date _____

Address _____

Please make checks payable to: GOODNOW LIBRARY CHALLENGE GRANT
Goodnow Library
21 Concord Road
Sudbury MA 01776

1988 DOG LICENSES

(Dog licenses expire on March 31st and must be renewed)

DON'T WAIT -- GET THEM NOW!

TOWN CLERK'S OFFICE -- WEEKDAYS 9 - 5

A \$10.00 PER DOG FINE MUST BE IMPOSED ON JUNE 1st--TOWN BYLAWS, ART. V, S.3

To obtain or renew a dog license by mail, please fill out the form below and mail it with your check to the Town Clerk, Town Hall, Sudbury. Evidence of dog having been vaccinated -- veterinarian's certificate, notarized letter from veterinarian, or metal rabies tag with unexpired expiration date indicated -- must be presented for licensing. A spay certificate or a spayed female license from another Massachusetts town MUST also accompany the fee if a spayed female dog is being licensed in Sudbury as a spayed female for the first time. Evidence of dog's vaccination and/or spaying certificate will be returned to you. A fine must be imposed on June 1st for non-compliance of Town Bylaw.

OWNER'S NAME _____ TELEPHONE NO. _____

ADDRESS _____

NAME OF DOG _____ BREED _____ AGE _____

COLOR _____ MALE \$3.00 SPAYED FEMALE \$3.00 FEMALE \$6.00

DOG LICENSES WILL BE AVAILABLE AT THE RABIES CLINIC HELD AT THE HIGHWAY DEPARTMENT, OLD LANCASTER ROAD, SATURDAY, MARCH 19th, 10:00 A.M. - 12:00 NOON.

VOLUNTEER TO SERVE YOUR TOWN!
REGISTER NOW!

Following the conclusion of the Annual Town Meeting on April 4, the term in office of many persons currently serving on various boards and committees will expire. The Moderator and the Board of Selectmen will be looking for people to fill those vacancies. If you would like to serve on a Town committee, please fill in the form below and mail it to: Board of Selectmen, Town Hall, Sudbury, MA, 01776.

NAME _____ TEL. NO. _____
ADDRESS: _____ YRS. RES. _____
OCCUPATION: _____
EDUCATION/TRAINING: _____
EXPERIENCE IN GOV'T: _____
INDICATE INTERESTS BELOW:

<input type="checkbox"/> Administration	<input type="checkbox"/> Finance	<input type="checkbox"/> Parks and Recreation
<input type="checkbox"/> Ancient Documents	<input type="checkbox"/> General	<input type="checkbox"/> Personnel
<input type="checkbox"/> Board of Appeals	<input type="checkbox"/> Health	<input type="checkbox"/> Planning
<input type="checkbox"/> Cable Television	<input type="checkbox"/> Historical	<input type="checkbox"/> Regional
<input type="checkbox"/> Celebrations	<input type="checkbox"/> Housing	<input type="checkbox"/> Resource Recovery/Landfill
<input type="checkbox"/> Conservation	<input type="checkbox"/> Industrial Dev.	<input type="checkbox"/> Town Report
<input type="checkbox"/> Education	<input type="checkbox"/> Insurance	<input type="checkbox"/> Transportation
<input type="checkbox"/> Elderly	<input type="checkbox"/> Landscaping (Town)	<input type="checkbox"/> Veterans
<input type="checkbox"/> Facilities	<input type="checkbox"/> Library	<input type="checkbox"/> Youth
	<input type="checkbox"/> Local Arts Council	

Board of Selectmen
Sudbury
Massachusetts 01776

U. S. POSTAGE
PAID
Permit No.4
Sudbury, MA 01776

3/12/88

POSTAL PATRON
SUDBURY
MASSACHUSETTS 01776